THE CALCUTTA

MONTHLY JOURNAL

AND

GENERAL REGISTER OF OCCURRENCES

THROUGHOUT

The British Dominions in the East

FORMING

AN EPITOME OF THE INDIAN PRESS

FOR THE YEAR

1837

Calcutta:
SAMUEL SMITH AND CO., No. 1, HARE-STREET.

1838.

THE CALCUTTA MONTHLY JOURNAL.

THIRD SERIES: VOL. III., 1837.

CONTENTS.

ORIGINAL.

Our Relations with China considered, with reference to the case of Lord Napier, by a Traveller, 17
The Tenasserim Provinces.

SELECTED.

Assam Civil Code, The,..... 412
Baboo Russomoy Dutt, ... 56
Bank of India, Reasons for the establishment of, .. 87
Bassein, Ruins of,..... 84
Black Act, The, ... 315
Black Act, Supplement to the,..... 90
Burmah, ... 411
Burmese Revolution, The,..... 193
Census of Calcutta, The, ... 47
China, a visit to,..... 10
Chittagong Disturbances, The, ... 41
Collectors, Duties of,..... 112
Coolie Act, The, ... 276
Copyright Question, The, ... 378, 437
Education, Progress of,..... 340
Egypt to England, Suggestions to Travellers via,... 1
Lands in India, Europeans permitted to Hold,.... 137
Fires, The late,—Loss of Lives and Property, . 246
Flogging, Military,..... 430
Goomsoor,..... 53, 108
Government Treasury Advances, ... 151
Hindu, The,.. 32, 79, 101, 146, 187, 242, 310, 422
Hugh Imambarah, The,..... 199
Improvement of India, ... 36
——— of India—Roads, 19
Labouring Classes of India, Improvement of the Condition of the, ... 131
Money Market, Indian, ... 180
Indus, Trade on the, ... 348
Jypoor, The late affair at, ... 257
Marshman, The late Dr., ... 390
Mauritius, The, ... 25
Mitchell, Expedition of Major 272
Opium Question, The,.....291, 319, 370, 433
Parsees' Landed Property, ... 353
Penang and Province Wellesley, Supplement to, Captain Low's Dissertation on, ... 335
Political Economy, ... 110
Post Office, The New Act,.. 357
Postage Reduced, ... 356
Queen Victoria, ... 394
Rent-free Tenures, Resumption of, ... 49, 59, 343
Route from, Ava to the Frontier of Assam, ... 227
Rupees, Marked or Punched Company's, ... 244
Selections from the Portfolio of a Judicial Officer, 405
Sidhanah, Some Remarks on the Principality of,. 191
State Trials—Address to the Civil Service,..... 417
Steam Navigation to England, ... 64
Study of Natural History, On the, ... 21
Supreme Court, Sittings of the Judges of the, ... 150
Tenasserim Provinces, The,.....43, 223, 351
Tribute to Great Britain—Indian Revenue Collections,..... 113
Zemindaries in Bengal, ... 189
Zemindary and Ryotwarree System, ... 220

ASIATIC NEWS.

Address to the Queen, The, 663
Agricultural and Horticultural Society of India,.. 22, 84, 184, 275, 388, 467, 545, 666, 704, 745, 828
Agricultural and Horticultural Society of India, Proceedings of the,..... 325
Agri-Horticultural Society, Meerut,..... 87
Alien Law—Decision of the Privy Council, ... 441
Allipore Court,..... 521, 629
——— Commissioner's Court,..... 683
Annuity Fund, Bengal, Civil Service,..... 13
Armenian Church, Meeting of the Parishioners of the, 460
A Sailor's Home, the establishment of,..... 200
Asiatic Society, Bombay Branch of the Royal, .. 20
Asiatic Society, Journal of the,..... 18
Asiatic Society, Proceedings of the... 89, 187, 327, 389, 543, 669, 761, 824
Australian Association Meeting, ... 461, 713
Ballygunge Tank Case, The,..... 99
Bank, The Agra 100
Bank, Correspondence between Government and the Agra 278

CONTENTS.

Bank, Agra, Meeting of the, ... 292
Bank of Bengal, ... 2, 383
—— of India, The, ... 94
——, New Bombay, ... 5
—— Taxes—Durrumtollah Bazar, ... 553
—— Steam Fund, Report of the New, ... 334
Bishop Corrie, Meeting to erect a Monument to, ... 199
Black Act, The, ... 454, 567
Bonding Ware-houses, The, ... 90
Boring Experiments in Fort William, ... 274
Brett, Dr., Native Hospital of, ... 189
Burn, address to Lieut.-Colonel, ... 245
Calcutta Catholic School, Examination of the, 813
Calcutta Market, Review of the, 89, 259, 325, 374, 440, 636, 646, 692, 744, 788, 958
Calcutta Medical and Physical Society, The Quarterly Journal of the, ... 16
Cavalry Regiments, Transfer of Madras to Bengal, 10
Civil Fund, ... 296
—— Fund Meeting, ... 765, 820
—— Service Annuity Fund, ... 342
Coolie Act Committee, ... 28
Collectors' Cases, ... 656
Cancer, Mr. P. Delmar's, ... 683
—— Court, ... 480
—— Inquest, ... 672, 726
Court of the Commissioner of Revenue and Circuit, ... 151
Court of the Sudder Judge of the 24-Pergunnahs, ... 229, 311, 346
Chamber of Commerce, ... 26
Chamber of Commerce, Madras, ... 765
Chamber of Commerce, ——, Transit and Town Duties, ... 280
Chowringhee Theatre, ... 652, 722 789
Chowringhee Theatre, Meeting of the Proprietors of the, ... 387, 459
Chronological Table for 1837, ... 857
Chuprra, Official Correspondence relating to the ——— Case, 42
Church-building Fund for India, ... 384
Club, Bengal, ... 658
District Charitable Society, Meeting of the, ... 629
Docking Company, Calcutta, ... 34, 465
East Indians' Addr... 119
—— India and China Association, ... 386
Education, Kower Kishenath Rai's, ... 452
Education of Wards, ... 801
Equalization of Credits on Sales and Purchases, ... 36
Fires, Prevention of, ... 33
Fort Gloucester, Examination of the School at, 665, 723
Francis Xavier, Examination of the College of, ... 812
Freemasons, Processions of the, &c., ... 816
Free School Meeting, ... 103
——— Report, The, ... 192
——— Examination, ... 456
General Committee of Public Instruction of the Presidency of Fort William in Bengal, Report of the, for the year 1836, ... 814
Gospel Society—Diocesan Committee, ... 68
High School Examination, ... 812
Hindoo College Examination, ... 191
—— Benevolent Institution, ... 265, 344
Hindoo Literary Society, Meeting of the, ... 92
Hoogly College, The, ... 120, 665
Horticultural Dinner, The, ... 24
Howrah Seamen's Hospital, ... 190
Ice, American, ... 118
Infant School and Society, The, ... 293
Insolvent Court, ... 62, 145, 223, 303 402, 480, 626, 679, 734, 776, 845
Jainukee Doss, Appellant, Binderbun Doss, Respondent, Case of, ... 448
Joint-Stock Bank of Bombay, Projected, ... 102
Juvenile Ball, ... 181
Land-Revenue, The, ... 542
Laudable Society, Meeting of the, ... 9
Laudable Society, ——, Meeting of, ... 464
Lectures, ... 723
Legislative Council, Ceylon, ... 8
Library, Meeting of the Public, ... 387, 454
Madras Memorial, The—General Government of India, ... 737
Medical College, ... 665, 826
Medical College, ——, The, ... 550
——— College Examination, ... 457
——— and Physical Society, ... 16, 189, 394, 473, 550, 666, 709, 761, 827
——— Retiring Fund, ... 14, 90, 750
Medical and Physical Society, —— of the, 89, 278, 330, 394
Memorial of the 4th Regt. N. I., ... 329
Metcalfe, Sir C. T., address to, &c., ... 805
Military Bank Meeting, ... 9
—— Fund, ... 822
—— Orphan Society, ... 803
—— Retiring Fund, ... 11
Mill, address to, Dr., ... 720
Miscellaneous, ... 71, 171, 252, 314 366, 433, 526, 639, 691, 737, 781, 847
Monghyr, ... 539, 647, 722 772, 797
Morning Academic Institution, ... 343
Mrs. Atkinson's Soiree, ... 2
Native Female Society—Thirteenth Annual Assembly of, ... 455
Nizamut Adawlut, ... 490, 683
Opium Sales, ... 669

CONTENTS.

Opium Trade Meeting,..... 564
Oude Succession the,—Disturbance at Lucknow, 450
Parental Academic Institution,..... 194, 811
Plague, The,..... 266
Post-Office Regulations, ——,..... 33
Public Library, The, ..105, 198, 292, 563, 817
Punch Houses,..... 265
Retiring Fund, Army,..... 287
Retiring Fund, Medical,..... 279, 395, 470, 750
Rent-free Tenures, Resumption of, at Chittagong, 68
——————and Zemindary Matters,..... 293
Sailors' Home,..... 661
Savings' Bank, The Government, ... 382
Scientific Soirees, Lord Auckland's,..... 1, 105, 455
Sir R. W. Horton, Bart., Farewell Address to, 730, 809
St. Andrew's Day,..... 768
Station Orphan Committee, —— of the Dinapore, 197
Steam Communication,..... 453, 551, 817
—— Meetings, The, ... 107
—— Meeting at Berhampore,..... 28
—— Navigation—The, Beirout and Bussorah Route,..... 129
—— Tug Association,..... 659
—— Meeting, Madras, ... 710
—— Committee, —— of the Madras,..... 332
Sudder Board of Revenue, 63, 152, 235, 313, 351, 407, 492, 632, 683, 736, 777, 846
Sudder Dewanny Adawlut,.. 403, 487, 631, 735, 777
—— Nizamut Adawlut,..... 69
Supreme Court, Madras,..... 615
Supreme Court, 60, 121, 209, 299, 344, 400, 414, 563, 678, 726, 774, 838
Supreme Court, ——,..... 721
Supreme Court, ——,..... 4
Tariff, ——, The,..... 5
Queen, Meeting to Address The,..... 5
Theatricals,..... 36, 81, 131, 261, 322, 450
Town and Transit Duties,..... 449
Trade of Bombay, The,..... 49
Uncovenated Servants' Widow's Fund,..... 284
Union Assembly's Concert,..... 290
Union Bank,..... 9, 830
Union Bank Meeting,..... 230, 331, 462, 563
Universal Life Assurance Society,..... 17, 397
Vegetables, Exhibition of at the Town Hall,..... 28
Young and others, Appellants—Bank of Bengal, Respondent,..... 446

GENERAL REGISTER.

Administrations to Estates, 10, 24, 35, 50, 66, 80, 98, 110, 126, 142 168, 188 176
Civil Appointments, &c., 1, 11, 25, 37, 51, 67, 81, 99, 115, 129, 148, 169
Domestic Occurrences, 8, 24, 34, 49, 65, 79, 96, 109, 123, 139, 158, 170
Government Notifications, ... 111, 127, 142, 159
Military Appointments, &c., 3, 14, 29, 49, 60, 70, 87, 103, 116, 132, 149, 163
Shipping Register, 7, 22, 33, 48, 64, 78, 94, 108, 122, 137, 155, 171

THE TENNASERIM PROVINCES.

The slip of territory on the east side of the Bay of Bengal, ceded to us by the Burmese at the close of the late war, and known under the name of the Tenasserim Provinces, extends along the sea coast from the mouth of the river Pak-chan, in lat. 10° 12' N. to that of the Salween, in lat. 16° 4' N., This river, which forms our boundary with the Burmese, has a due north and south course, and our possessions extend along the banks to lat. 18° 30' N., where it is joined by an inconsiderable stream called the Thoung-yeen, having its source in the range of mountains which from the eastern boundary of the provinces and running about N. E. till its junction with the Salween: the country thus forms a kind of paralellogram, about 500 miles in length and varying in breadth from 40 to 80 and containing about 30,000 square miles. It is divided into four provinces, those of Amherst, Yé, Tavoy and Mergui. That of Amherst, the most northern province of the four, is a portion of the old province of Martaban. It extends along the coast from the Salween to the Thoung-yeen in lat. 15° 15'. It may be mentioned here, that the Burmese deny our right to this province by the treaty of Yandaboo, and so loose and vaguely is this celebrated treaty drawn up, that by one article the Burmese' claim to it is undoubted, though by a following article this right is annulled. The first article alluded to states, that H. M. of Ava cedes to the British the provinces of Mergui, Tavoy and Yé, without any allusion to any part of that of Martaban, while the other states that the Salween shall be the boundary between us and the Burmese. The chief town of Amherst Province is Moulmein, or, as it should be more correctly written, Maulamy'haing. At the conclusion of the war, when the town of Martaban, together with the territory on the W bank of the Salween, was given up to the Burmese, the whole population accompanied us and the present site of Moulmein being fixed upon by Sir A. Campbell as the military cantonment, the people naturally flocked to the neighbourhood, and their numbers being very considerably increased by the emigration of the Peguers, that took place after the defeat of their attempt to regain their independence in 1826, a regular town soon sprung up, which has yearly increased by the influx of people from different parts of India and is now a flourishing and important settlement. It is situated nearly opposite the old town of Martaban, in lat. 16° 29', at the conflux of three large rivers, the Salween the Gyne and the Attran, there uniting in one stream, which disgorges itself into the sea by two mouths, inclosing between them the Island of Bilou-kioun. The town consists of one long street, following the course of the river a distance of nearly five miles, from which others diverge at right angles; but owing to the predilection of the natives for the immediate bank of the river, and to the circumstance of the military cantonment occupying a large space of the ground at the back of the main street, it has been found impossible to render the town compact or to extend it inwards from the river: it has consequently a straggling appearance and gives the idea of being far more extensive and populous than it actually is. The cantonment occupies the site of an old Burmese town, as denoted by the stupendous bund within which it is inclosed on the N. W. and S. faces, having a range of low heights on its E. face, surmounted by pagodas. It had, however, long been deserted, and when fixed on as a cantoment, was thickly covered with trees and underwood. It forms a quadrangle, about a mile in length by half a mile in breadth, with in which are the barracks for the troops and the residences of the officers. Beyond the southern face of the cantonment, at the distance of half a mile; are situated the residences of the civil officers together with the cutcherry and other civil buildings. The Commissioner's house is situated on a rising ground near the river, having an extensive and prettily planted compound around it, and a view both up and down the river. Behind it is a continuation of the long range of heights before alluded to, extending a few miles lower down and having its summits crowned with pagodas. Few scenes can

exceed in beauty the first view of the town of Moulmein, when sailing up the river. The numerous shipping at anchor, the thickly clustered huts of the natives on the banks, the cantonment and residences of European officers on the higher ground, backed by the pagoda heights, the high hills of Martaban on the opposite bank all with pagodas on their summits, the lofty mountains at a distance, and the evergreen and verdant face of the country, form a *tout ensemble* most delightful, to those especially who are accustomed to the monotonous plains of India. The town now contains about 16,000 inhabitants, chiefly Burmese and Taliens, with about 2,000 natives of India and 600 Chinese. The first houses erected on the establishment of the place, were of course of the poorest description. These gradually gave way to others of more substantial materials, but now brick and mortar houses are fast running up, and where fires occur among the old houses, which owing to the combustible materials with which they are built and roofed are frequent, brick buildings are erected on their site.

Amherst town is situated at the mouth of the navigable branch of the united streams, in lat. 15°. 4'. This spot was selected by Mr. Crawfurd as the site of the cantonment and contemplated new town, but was disapproved of by Sir A. Campbell, who then fixed on Moulmein. Amherst would, no doubt; have been a more pleasant and, perhaps, a more healthy station for the troops, owing to its being on the sea side; but as the capital of the province, Moulmein is decidedly preferable, being more central and at all times accessible, whereas during the S. W. Monsoon, canoes and other small boats cannot often for days together, venture down the river. Mr. Crawfurd had planned a splendid town here: wide streets were marked off and named, and several grants of land had already been issued to individuals, when the arrival of Sir A. Campbell, put a stop to the imaginary town, and the orders of the Supreme Government prohibited any further grants from being given. Amherst is consequently now, nothing more than a village with about 1,500 inhabitants, and no vessels enter its harbour, but all proceed straight up to Moulmein.

The three rivers before mentioned as uniting into one stream at Moulmein, intersect the province in different directions, and with their smaller tributaries, afford rapid and easy communication over the country. The Salween has its source in the Himalaya mountains, from whence its course is nearly due south; but owing to the numerous obstructions in its bed, is not navigable, even for canoes, beyond our northern boundary. One of these obstructions, indeed, occurs within our boundary in the shape of a bar of rocks running across the stream, rendering the passage dangerous to canoes even, when the river is at its lowest; but when swelled by the periodical rains, or by the melting of the snow on the mountains, such is the impetuous rush of the water, that even logs of timber are dashed to pieces. About 15 or 20 miles south of this rapid, the Salween is joined by two other streams, the Yambaing from the eastward, and the Yoouzalen from the westward; thence it forms one broad and noble stream to its mouth, with high steep banks and interspersed with numerous islands. The rise of the river during the rains, is nearly 30 feet, and those islands are mostly overflown at that period; the water leaving a deposit on them, their soil is extremely rich. The population along the banks of this river, and indeed of all the rivers except in the vicinity of the town, is extremely scanty, and little or no cultivation is to be met with. The Gyne is formed by two rivers called the Dagyne and Houndrow leaving their sources in the eastern boundary range of mountains, and uniting about 50 miles N. E. from Moulmein. It is a winding and contracted stream, but the rise of water is very considerable and often overflows the banks. The Attran has its source in the same range, but in a very different direction, as its course is nearly N. W. It is a sluggish, deep and narrow stream and the rise of its waters, during the Monsoon, is much less than that of the other two.

The population of the province without the town, is about 35,000 living in villages and chiefly engaged in agriculture. Each village has a head man called a Thooggee, who is paid by a commission of 10 per cent. on the amount of revenue, which he collects and pays into the treasury. His duties are multifarious. He keeps the accounts, collects the revenue, and is answerable for the Police of his village. In this latter respect, however, his duties are very light; for such is the quiet, tractable disposition of the people, that crimes are very infrequent in the villages. It is only in the town that the bad characters find any field for their depredations, as such persons are immediately detected in the small community of a village, whose inhabitants themselves will never allow them to reside among them. Instances are very frequent of villagers petitioning for the removal from among them, of persons in whom they have no confidence, and immediate attention is always paid to such applications, by calling on the obnoxious personage either to remove or to give security for his good conduct. Under the Burmese rule, the Thooggee was a much more important personage, invested with more power and claiming more privileges and perquisites than under the present Government. The office was hereditary in a family, and if the Thooggee felt himself secure in the favor and protection of any powerful member of the Government, there was but little limit to his authority over his villagers. Though shorn of much of its value in the eyes of the natives, yet by judicious management the office is still one coveted by them. It is made elective among the villagers, the qualifications being those of having land in the village and being able to read and write; but once elected he cannot be deprived of his situation without the sentence of the chief authority in the province. By referring to them for their opinion in all petty village disputes that may be brought up,—by calling on them for the characters of disputants, and by treating them with due observance and attention, they are looked up to and respected by the people, and become most valuable instruments in the Government of the country. Over each district, containing within it a certain number of villages, is a head man called Gaunggyaup, who is the first referred to in all matters of interest that may occur within his district. He is invested with small judicial and police powers; and in matters beyond his cognizance, he first investigates and reports to head quarters. He is the medium of communication with the Thooggees, and sees that all orders given to them are carried into effect. He goes the round of his villages, listens to complaints, settles disputes, and reports the state of his district to the officer in civil charge. He does not collect revenue, which is paid in direct to the treasury by the Thooggees, but he collects the accounts of the villages under him, and furnishes a general one of his district. Superior to the Gaunggyaups, are the chief native officers of the province, called the Tseetkais and Akwonwons, the first for judicial and police and the other for revenue. The Tseetkai is invested with judicial and magisterial powers subordinate to the officer in civil charge. To him are reported, in the first instance, all crimes and offences that may be committed, and if beyond his cognizance, he brings them before his superior and takes all the steps that may be necessary for bringing the offenders to justice. The Akwonwon keeps the revenue accounts, receives the revenue from the Thooggees and with them lodges it in the treasury.

Appeals lie from the decisions and orders of the native officers to the officer in civil charge, and from him to the Commissioner, but litigiousness is not a characteristic of the people of this country, and it is a fact that more than one half of the suits instituted in the civil courts, are subsequently settled among the parties themselves and withdrawn. This absence of litigiousness, however, is encouraged by the simple and natural forms of proceedings which obtain in the civil courts. A person having a claim on another, applies to the officer, native or European, sitting in the court. He is desired to state the nature and subject of his claim, and if on the

face of it, it appears utterly frivolous or untenable, it is rejected; if it appears that the claimant has neglected to perform some act which would strengthen his claim or obviate the grounds of refusal on the part of him from whom he claims, he is recommended to do this and then apply to the court; in short, the Judge adopts such measures and gives such advice, as from the claimant's own story (who is often a simple, ignorant being, unable to tell his story without much questioning and enquiry) are likely to prevent the claim from coming into Court at all. The claim admitted, the other party is summoned to answer it,—when both are heard, the merits of the plaint and defence ascertained, such evidence as may be necessary examined, and a decision passed. No peculiar forms of pleading are called for; each man tells his own story in his own language, is examined and cross-examined till the points on which it hinges are ascertained, and is assisted to bring forward all the most favorable arguments he has to urge. Witnesses are examined and cross-questioned in the presence of the parties and of the whole court, and every means are adopted to check litigation, to secure a fair and impartial as well as quick decision on all suits, and to prevent the civil court from being made use of as an engine of vexation and harassment. So far is this latter point carried, that on any claim being made against a person residing at any great distance from the courts, to perform the journey to which would withdraw him from his family, and cause him wait for a considerable time, it is, if of no great importance, referred to the Gaunggyaup for prior investigation, and it is found that such suits are generally settled among the parties. Trial by jury was introduced into the Tenasserim Provinces many years ago, by the late Commissioner Mr. Maingy. The rules under which it is conducted are those which were at one time in force in the Madras presidency, established by the acting Governor Mr. Greeme, after the death of Sir T. Munro, and subsequently abolished by Mr. Lushington. It does not appear to be appreciated to the extent that might have been anticipated; but do not all such institutions, and all measures of Government, calculated to improve the moral and intellectual condition of the people, require for their appreciation a more advanced stage of civilization, than that to which this people have arrived, but just emancipated as they are from a pure system of despotism. There is one feature, however, in their reception of trial by jury, which goes far to disprove the assertion that it is not duly appreciated, and which is highly honorable to them. The persons summoned as jurymen, have invariably refused to accept the allowance of one rupee per diem authorized to be given them for their attendance. This proves that they are alive to the honor conferred on them in bearing a prominent part in the trials of their countrymen, but not that they are yet equally so to the benefits arising from such an institution.

Equally simple and divested of all forms and complication, is the mode of collecting the land revenue. The Government portion is one-fourth of the produce, which during the first few years of our Government, it was the practice to ascertain annually by different modes of measurement and classification of the lands; but in order to relieve the people from the periodical delays, the harassment and vexation to which this system often subjected them, a septennial settlement has been made with each individual cultivator in the following manner. On a review of the total amount paid each of former years by the lands of a village, of the quantity of land in each village hitherto uncultivated and likely to be made use of under a more encouraging system, and of the general means of the villagers to increase their cultivation, a certain amount of produce was fixed as the demand from that village, which the people of it were called on to assess among themselves; this being done, a paper was given to each man, stating that such would be the amount demandable from him annually and no more, however much he might increase the extent of his cultivation, and in whatever part of the province he might choose to cultivate.

Persons not included in the original settlement, are at liberty to enter it, thereby, of course, increasing the amount of revenue from the village, where they may take up land. There are several minor details which it is not necessary to give here; suffice it to say that the plan has increased the Government revenue, greatly extended the cultivation, and afforded much satisfaction to the people, by fixing the demand from them and allowing each cultivator as he proceeds to work, to know beforehand what portion of his produce he will have to give up, thereby stimulating him to raise as much as possible. The plan, however, is one adapted only to a comparatively small extent of cultivation and to the peculiar people of the country. It requires that the European Officer should annually visit each village to hear and decide all claims for remission on the ground of sickness, inundations, &c. All such claims being heard on the spot, in the presence of the assembled villages, the elders of whom are always called upon for their opinions and for form punchayets for visiting the lands of the claimants, the truth is easily come at, especially as it is found that the people of a village are peculiarly jealous of ungrounded remissions being extended to any one of their number, and would certainly not allow,—which perhaps might be effected under such a plan in other countries,—that any person should engage in cultivation without being included in the village settlement and consequently free from any payment. At the harvest of each year a review is taken of the price of grain during the preceding year and a commutation price fixed. This was found indispensable in lieu of a fixed commutation price owing to the extremely fluctuating price of grain from 10 to 40 rupees pr. 100 baskets or 61 Maunds.

In Revenue and Judicial matters, and in fact in all the capacities in which the European officers are called on to act, the admirable system established by the late Commissioner, Mr. Maingy, of rendering themselves perfectly and at all times accessible, is strictly followed. By frequently travelling over the country, stopping at each village, assembling the villagers, listening to their complaints and representations, all abuses are checked and restrained and the confidence of the people is established in the wish to secure them a just and impartial Government and to promote their comfort and happiness. In these periodical visits, no form nor state is kept up, nor are the villagers called on in the slightest manner to furnish labour and provisions, a circumstance which they do not slightly appreciate, considering the heavy contributions laid on them in former times when any of their rulers took it into their heads to travel.

The trade of Moulmein is fast growing in importance, though owing to its being a free port and the principal direction of the trade being inland, it is very difficult to give any statement of its amount. From Moulmein we have access to the whole S. E. portion of Ava, to the whole country to the Northward up to the frontiers of China,—of which, however, very little is yet known,—and to Siam. To Ava our piece goods and other manufactures find their way to a large extent, and among the Northern Shan states, there is a growing disposition to have a commercial intercourse with us. Unfortunately, however, the most considerable and wealthy of these states are dependent on and tributary to Ava, whose rulers appear jealous of the intercourse hitherto held with us, and though they disclaim all such intentions, yet evidently place every impediment they can devise to prevent it. In former years a considerable Caravan of these people used to visit Moulmein by the route of Shoayguine and Tongo, but of late years they have been subjected to so many exactions and oppressions from the authorities of the towns on their route, that they have given up their visits. The object has been to open another route for them free from all such exactions, and this has already been partially gained by deputing an officer (Dr. Richardson) to the Chiefs of an independent hill tribe, called the Red Kayens, who hold possession of a slip of territory on the west bank of the Salween river, about 120 miles from Moulmein

lying between us and some of the most important of the Burmese Shan states. The mission was successful in obtaining the consent of these chiefs for the unmolested passage through their country of caravans, and one has made the experiment this year, bringing with them 400 bullocks laden with sticklac and other articles.* They have fortunately met with a good market for their lac, and there is consequently every reason to expect that their visit will be repeated next year in greatly increased numbers.

The Shan states on the East Bank of the Salween, adjoining us to the N. and N. E., are dependent on and tributary to Siam. With them our intercourse has long been close and friendly, and of a nature to prove most beneficial to the interests of the provinces, as from thence are obtained the large supplies of cattle requsite for the consumption of the European troops. Prior to their being obtained from that quarter, cattle were often brought from Madras at a most enormous cost; and when such supplies failed, it was found necessary, in order to supply meat, to oblige the inhabitants to give up their buffaloes; and though the price given them was liberal, yet it was felt a heavy grievance and highly injurious to the cultivation, by withdrawing so many animals from the plough. Beyond these Siamese Shan states to the N., lie others dependent on Ava; and to the N. E. up to the frontiers of China, is an immense extent of country, of which we absolutely know nothing at present, but with which, in the course of time, we shall, no doubt, have constant and beneficial intercourse. Hopes were confidently entertained that Moulmein would be this year visited by a caravan of Chinese traders, a portion of that which annually comes down to our Northern Shan neighbours, and who had been fallen in with last year by Dr. Richardson, to whom they expressed an earnest wish to extend their journey to the coast. What has prevented them from carrying their design into execution, is as yet unknown, and it is greatly to be hoped that the cause is accidental and that next year they will be induced to come down. Such an opening for our trade, is one not to be neglected, and every means should be adopted to induce some of these people to visit us once, leaving it then to their own judgment as to the advantage of keeping up the intercourse.*

* Since the above was written, the non-arrival of these people at Moulmein has been explained. In compliance with a request made by them to Dr. Richardson, an interpreter was sent at the close of the last year, to accompany them down from Lummay and Laboung, the Shan states on our northern frontier, where Dr. R. had fallen in with them. After a very long absence, this man returned with the following letter from the chiefs of the caravan, and seven Chinese. These latter remained only a very few days and rejoined their country-men, seemingly well pleased and satisfied at the prospect held out of their in future obtaining a good market for their goods. The letter is addressed to Dr. Richardson and does them great credit, as evincing an honorable regret at the breach of their promise and frank confidence in us.

"We write this letter to your Lordship, beseeching heaven for your continued welfare, &c. The year before last your Lordship met us at Cheng-wye (Limmay) and invited us to visit your country and trade with your people, promising us also the services of a messenger to guide us there, which offer we consider as a mark of great favor shewn to us. We accordingly found on our arrival at Cheng-wye (Limmay) the promised messenger, who had been waiting for us these 3 or 4 months past. It was our intention to have accompanied your messenger, but in consequence of our arriving here late in the season, from having experienced heavy rains in our journey, and the delay occurring in purchasing our stock of trade at home, we are obliged to defer doing so this season, fearing we shall have no time to return to our country before the setting in of the rains. To be faithful to our promise, we now send a few of our brethren with some articles of merchandize; on their return, they will be able to give us every information regarding the trade of your country.

We again renew our promise of visiting your Lordship's country, and expect to be there on the commencement of our next grand festival, (about the middle of December next) to return you our thanks and to assure your Lordship that we will not require the services of a messenger or guide to conduct us thither. We beg you will not be displeased with us for not fulfilling our promise this time; and wishing your Lordship, through the favor of Heaven, every blessing, health prosperity, &c.

Written in the 16th year of the reign of our King, 25th day of the 1st month (11th March 1836.)

(Signed) SENG LOWE.
SENG CHUN.
Merchants of Yunan.

With Siam the over land trade is naught, nor is it likely ever to become of much value or interest, owing to the easy access of our vessels to Bankok. The expence of land carriage will always be too great.

The chief articles of export from Moulmein, are rice and teak timber. The amount of the former is very variable and depends on the demand from the Straits and China. The latter is an article for which the demand is constant, and fortunately the forests are of that extent as not to be soon exhausted. They lie about S. E. of Moulmein on the banks of the Attran river, and the numerous minor streams that run into it. The following extracts from the journal of a gentleman who lately visited that part of the country, are interesting, as describing not only the extent of the forests, but several other features of the country. Instead of proceeding up the river, he gained its source from another direction, going by sea to Yé and striking off from thence in a direction to the three pagodas, a celebrated boundary mark in former times between the Burmese and Siamese.

"17*th March*.—Marched at day break this morning to the S. E. and in two hours reached a place called "Motsomah Meu," (widow town) of which the only remains are a tolerably large tank and a bund enclosing a space of 200 paces square without any fruit trees. None of the people with me can give any account of the origin or time of existence of the place, and I have been able to find nothing about it which could afford any clue or give rise to any surmise on the subject. Distant from cultivation of any kind, bearing no traces of productiveness, and situated on the borders of an enemy's country, it is difficult to conceive for what purpose it can have been erected, unless the three pagodas, may at one time have been frequented by Pilgrims, for whose temporary convenience the place may have been intended, the Bund being elevated more as a protection against wild beasts than against men.

"We visited the three pagodas, which are about four miles S. S. E. from this spot, with a tolerably trodden path the whole way. I had expected to see the ruins at least of three large pagodas, and was much disappointed to find nothing but three heaps of black stones within 10 feet of each other, and the highest not more than 8 feet high, on as black, barren and uninviting a spot as can well be fancied. I should certainly have passed these heaps without remark, had they not been pointed out to me. They are, I fancy, as they have ever been, for there is no appearance of their having sunk or crumbled away. The spot is surrounded by hills on every side, and in addition to this, the mist was very low and thick, which prevented our seeing far round. There being no water within four miles of the pagodas, we were obliged to retrace our steps to Motsomah Meu, were there is a tank. The distance is exactly four miles, S. S. E. to N. N. W.

"The afternoon was very hot and close till three o'clock, when we had a slight thunder storm and smart shower, which was very refreshing and cooled the atmosphere for the rest of the evening.

"18*th*.—Motsomah, latitude By Obs. 15° 20' 27".

"The origin of the three pagodas appears to be as little known as that of Motsomah Meu, the account given being a fabulous one and their date laid as far back as six years after Gaudamah attained Neikban, at which time it is said he gave three of the hairs of his head to two travellers, a Siamese and a Burmah. A dispute having arisen as to which should have two of the hairs, an old woman suddenly made her appearance and settled

the controversy, by proposing that each of the disputants should have one only and she the third, and that they should each erect a pagoda over their respective relic, the lady building hers between the other two.* After this work was completed the parties separated, one to become King of Siam, or all the countries to the S. Eastward, and the other King of those to the N. W.

"The people have been out in all directions to-day seeking for cinnamon trees, which they say exist in the neighbourhood. It is amusing to hear them talk of the dread with which 12 years ago they would have ventured to roam so near to their dreaded enemies' frontier. Only one of them has ever been here before, and then it was by compulsion. They say, "had we come here during the time of the Burman Government, we should have come like thieves or cats, watching every bough and leaf and not venturing to the right or left; now, we have been here two days without fear of molestation, and have seen every thing." This evening a small bundle of the bark of the cinnamon tree was brought in, but of a very inferior description, having been taken from too young a tree.

"*19th.* I went myself this morning in quest of cinnamon, and at the very bottom of a ravine, the ground in which is, even at this season wet, and sheltered on every side from the rays of the sun by the over hanging trees on the sides of the hills which form the ravine, we discovered 5 or 6 trees growing in clusters, from which we took a good quantity of bark. The leaf is arromatic as well as the bark, which latter, however, does not acquire its full strength till after it has been well dried in the sun. After some search we succeeded in getting half a dozen young trees, which I got carefully taken up and intend taking to Moulmein.

"N. B. I have since found that this is the cassia legnea and not the cinnamon."

The teak forests are found on both sides of the river, in patches of greater or less extent, from within about 10 miles of the three pagodas down to "Dalee Creek," a distance by the river of fully 100 miles, though in a direct line not more than 40. Some of the patches consist merely of a few trees from 100 to 500, along and near the banks, but those of greater extent are usually further in land, running along the bases and sides of hills, from whence spring small streams which run into the Main river and enable the woodsmen to float down the trees after dragging them to the banks by means of elephants and strong trucks.

The forests having been thrown open to the public since 1829, the axe and the saw have been, and still are, every where busily at work; every forest is occupied; those on the banks of the Main river; chiefly by Burmese, who have preferred them, owing to the superior facilities for bringing down the timber, without reflecting on their limited extent or considering how soon they must be exhausted. The European timber cutters have therefore secured the larger forests,* to whom it was less an object to meet with few difficulties than to secure a wide field for their capital and enterprize. The limits of each location are generally well defined, in most instances by intervening belts of jungle, in which no teak tree appears, and in others by the course of a nullah or a hill. Each person is secured in the uninterrupted occupation of his forest, in which, however, he has no proprietary right; each cutter receives a written permit to cut within the limits as assigned to him. On the arrival of the timber at Moulmein, a duty of 16 per cent. is levied, either in kind or in cash, at a valuation regulated by the market rates.

* Such as the Massies, the Kyoongyoung, the Migawan, and Mittakeet.

The trees are usually killed in the months of February and March, when the sap is down, by notching through the bark all round, and allowed to stand thus for 1½ or 2 years to season, without which they will not float when felled. Some of the cutters are in the habit of sawing the timber on the spot into planks, by which means they can raft it down at any season. Others bring it down in logs, but this can only be done during the rains, when the water in the river rises some 25 or 30 feet. At this season (March) the river for nearly half its course is little more than a succession of shallow rapids, so shallow that our canoes, the largest not drawing above 15, or 16 inches of water, are obliged to be dragged over, all hands jumping out for this purpose.

There are other extensive forests on our northern frontier, though chiefly on the other side of the boundary stream; but, as before mentioned, the natural impediments in the Salween river render the rafting of timber down it a difficult and dangerous operation. There are teak forests also of some extent on the Burmese side, but the timber is inferior in quality and size. A considerable quantity finds its way annually to Moulmein, but so destitute is now that part of the country of population, that hands are not to be obtained for felling it. Some favorable terms have lately been offered to our wood-cutters to induce them to work there.

Efforts are now making for introducing in the provinces, the cultivation of the Pernambuco cotton, though the experiments hitherto tried have been on a small and most insignificant scale, in spots ill selected and without any care or attention paid to the cultivation; yet there are grounds for looking forward to this most important branch of cultivation being eventually carried on to a large extent, and once successful in the provinces, all the surrounding states will soon adopt it. Under such circumstances, the Tenasserim Provinces, so far from proving an expense to the state, would become one of its most valuable acquisitions, and such a field being opened for European capital and skill, they would soon become in a manner colonized. No climate in India is so well adopted to the European constitution. Though subject during one half of the year to excessive rains,—the fall in 1835 being nearly 220 inches, and during three months to a heat equal to that of almost any part of India, yet neither the heat or the moisture appears to effect the European, though proving in some measure deleterous to the natives of India.

There is no doubt whatever that sugar-cane and indigo will grow extremely well in the country, and the cultivation of the former is already carried to some extent, but at present the very high price of labour interferes with any speculation in these lines. The population is so extremely scanty and the demand for labour so great, especially in felling and bringing down timber, that an able bodied man can with ease earn his 12 or 15 Rs a month. No individual can be hired as a common daily labourer under half a rupee a day, and as both sugar-cane and indigo require labour not only in their cultivation but in preparing the produce for the market, it is useless to expect any individual will engage his capital in such speculation; neither could any hopes be at present held out, of success attending his operations. Much has lately been effected towards reducing the price of labour by hiring out the services of some of the numerous convicts annually transported to the Provinces from Bengal and Madras. They are to be obtained at 5 or 6 Rs a man a month, according to the distance from the town at which they are employed, and it is generally acknowledged that they are valuable labourers, the best men only being selected to enjoy the privilege of being freed from their irons and living out of the jail: the hold that is obtained over them, by the certainty that any misbehaviour on their parts will be attended by a return to both jail and irons, causes them to become steady and

hard working. An occasional small present of money from their masters, stimulates their exertions still further, and convict labour at Moulmein is much in demand, and a person engaging in any branch of cultivation, would find it decidedly advantageous to avail himself of it.

Yé, is a small province lying south of that of Amherst, between the latter and Tavoy, having for its southern boundary the river Henga, which enters the sea in lat. 14° 35'. The town of Yé is situated about 20 miles up a river of the same name, in lat. 15° 12'. It contains a population of about 800 souls only, chiefly Talieys, and has not hitherto been made the residence of an European officer. It is a pretty, retired spot and its people are a proof of the extremely peaceable and orderly disposition of the Natives of this country; for though occasionally visited by the European officer of Government, it is seldom found that there are any disputes to settle among them, and even the most petty offences are of very infrequent occurrence. The people are mostly engaged in rice cultivation, and an inferior quality of teak is procured some distance up the river, with which large native trading boats are constructed. Owing to a bar at the mouth of the river and to extensive sand and mud banks lying off it, it is approachable only by small vessels, and large sized boats, when laden, cannot enter.

South of Yé lies the province of Tavoy, the second in size and importance of the provinces. The town of Tavoy, though situated 40 miles up a large river of the same name, is yet only 8 miles from the sea in a direct line, such being there the breadth of the tongue of land dividing the river and the sea, forming a point in lat. 13° 25'. The mouth of the Tavoy river forms a splendid harbour, fitted to receive and shelter the largest vessels, easily accessible and navigable to a distance of 20 miles for ships drawing 13 or 14 feet, having its deep water close to the right bank. Unfortunately, there is little or no ground at the mouth of the river fitted for the establishment of a town, as the hills slope down almost to the water's edge. Still, were the resources of this province, in trade and production, equal to those of Moulmein, there is no doubt the town would ere this have been removed to a more convenient distance from the river's mouth. As it is, the obstructions in the river for the last 20 miles, are so numerous as to preclude a nearer approach to vessels drawing more than 9 or 10 feet. The town is situated on the left bank of the river, and was considered by the Burmese a strongly fortified place, and was more than once the rendezvous of their forces in their attacks on Siam. When taken by us, it was surrounded by a high brick wall, having an interior platform nearly level with the top. Each face was nearly half a mile in length. Round the north and river faces, at a distance of about 400 yards, was an inner wall of smaller height and less substantial build, enclosing the suburbs of the town. To the Siamese such a fortification was impregnable, and traces are still very distinct of the encampment of the Siamese Army which besieged the town some 20 years ago, and blockaded it for several months, though without success. The walls are now fast disappearing, the materials being employed for making roads or for any private purpose. The population at present consists of 9,300 souls, and is rather on the decline than otherwise, owing to the superior field for mercantile enterprise afforded at Moulmein. Tavoy has no inland trade, having communication only with Siam, with which country, as before stated, our intercourse is very limited, not that Siam is jealous of such overland intercourse, but that a more easy access is provided to her by water. The whole population of Tavoy province is about 35,000 scattered over the country, chiefly on the banks of the Main river, in villages, which being of older standing than those around Moulmein, present a far more substantial and comfortable appearance. Rice is the chief production of the country, of which large quantities are annually exported to the Straits. Teak does not grown in the province, but it abounds in a description of timber

(thingan) but little inferior to teak, and equally adapted to ship and house building, as equally obnoxious to white ants. It is to be had in unlimited quantity and of the largest size. A ship load of it was some years ago sent to Calcutta, but owing to the prejudices which there exist, against all timber not bearing the name of teak, scarce a look was vouchsafed to it, though it is said that those who did purchase it, found reason to congratulate themselves on obtaining a cheap and valuable bargain. Tin and iron ores are to be had throughout the Province. The former is collected in small quantities by the natives and is very rich, yielding 70 and 80 per cent. of metal; but it does not appear to abound so extensively in any one place, as to be likely to yield a profit were the collection engaged in on a large scale. The iron ores have never yet been collected, though the specimens obtained appear to be rich.

Under the Burmese rule the very name of "Tovoyer" was a term of reproach, the people of this province being considered more addicted to drinking, opium smoking and their attendant vices, than those of any other part of the kingdom. So far was this opinion of them carried, that every other town throughout the provinces, had a space outside their walls called the Tavoy district, exclusively appropriated for Tavoyers, who were not allowed to enter the town at night. During the first few years of our rule, there was ample proof of the justice of these suspicions, there being more crimes and petty offences committed in this province, than perhaps in all the others put together; but a more pure and impartial administration of justice, combined with the field that is now open to all for procuring a comfortable and honorable livelihood, has tended gradually to improve the morals of these people, and the Tavoyers are now as orderly and peaceable a population, as that of the other Provinces,—crimes of magnitude are of rare occurrence, and those of minor degree are annually on the decrease.

Mergui, the most southerly of the provinces, extends from that of Tavoy to the river Pakchan in 10° 10', which divides the British possessions on the coast from those of Siam. The town of Mergui is situated in 12° 24' at the mouth of the Tenasserim river and contains a population of 6,500 souls. The houses are built round the bases of a cluster of low hills whose summits are crowned with pagodas and temples and on the top of one of which are the barracks of the troops, together with most of the European officers' residences, than which more delightful sites are seldom seen. The hill rises almost abruptly from the water, a street only seperating them. It commands a widely extended view of the sea, studded with islands of all sizes and descriptions, and is completely open to its refreshing breezes. Few people can visit Mergui without admiring the beauty of its scenery or benefitting by the salubrity of its climate; but it has little else to recommend it as a residence. Though the eye ranges over a wide expanse of water, yet but few vessels are ever seen making their way towards the port; and though the vicinity of the sea, with all its agreeable accompaniments of superb fisheries, boat sailing, &c. be highly delightful for a short time, yet the seclusion of the place and its precarious communication with the world, render a residence there exceedingly dull and monotanous to those who have no duties to perform or are in no way related to the place.

The harbour is easy of access to vessels of 300 or 400 tons, which can run in and anchor within a few yards of the wharf, perfectly sheltered from the most violent weather by the small island of Maliamacan lying parrallel to the town at the distance of about ¼ a mile.

Mergui was earlier known, however, to Europeans than any other part of the coast. We read in old books and gazettees, of its being formerly the site of an English factory, and in one it is stated, that the E. I. Company being jealous of the prosperity of some English

merchants residing there, an armed vessel was sent over from Madras with instructions to her commander so to demean himself towards the authorities of the place, as to insult and disgust them and induce them to expel the merchants. In this he succeeded. The intention of seizing and murdering them was discovered, and they fled with precipitation; but the commander of the vessel lost his life. Subsequently the French seem to have established themselves in the place, but were eventually driven out by the Siamese. The gallant defence of a handful of French against a whole host of Siamese, is matter of history. During the last war with France, Mergui and the neighbouring islands seem to have been much resorted to by French privateers, and the old inhabitants still remember a visit from the British fleet (Admiral Watson it is supposed), the cutting out a French vessel during the night, and a visit in state the next day from the Admiral to the Burmese Governor.

In former times, no doubt, Mergui was a much more important place than it now is, as it formed the chief, if not the only, outlet for the produce of Siam, which must have come overland to Tenasserim and from thence down the river to Mergui. Tenasserim is spoken of in old books, as a large, populous and flourishing city, but it has long been deserted, nor do such remains of it as now exist, in any way indicate such a place as is described. It has a stockade with a bund and one or two brick bastions, but it is not of any extent, and the few pagodas within, are not of that size or beauty which would designate it as the site of a once populous and flourishing place. It is situated about 50 miles E. of Mergui, at the junction of two rivers, insignificant during the N. E. Monsoon, but wide and rapid streams during the rains. One of these has a due N. and S. course and is generally called the Tenasserim river It is formed by the junction at a point about 50 miles East of Tavoy town, of two streams, one running from the northward, the other from the southward. After junction the united streams run round the northern base of a ridge of mountains and proceed southerly towards Tenasserim. Its banks show signs of having been at one time populated, but are now quite deserted, except by a few tribes of Kayeus, a wandering race without fixed habitations, and who mostly shun all community with other people. From the banks of this river are obtained the large quantities of sapan wood annually brought to Mergui and exported from thence to Calcutta. It is cut by the Mergui people, who proceed up the river from that place, early in the rains, in boats, cut the wood, raft it on bamboos and so bring it down. The trip takes about 6 or 7 weeks, and often two are made, during a season by the same people. Each boat is under engagement to deliver all the wood cut by the men in her, to some merchant of the place at certain agreed rates, and advances are made to them before starting. The rates vary from 4½ to 7 Rs. per 100 viss (365 pounds) and when the demand is great, men are to be had at Tavoy who proceed overland from that place to the Tenasserim river and convey their rafts in a similar manner to Mergui. A duty of 15 per cent. on the market price is levied at Mergui. This produce is the chief article of export from Mergui. Rice is grown, but not to any extent beyond the consumption of the place.

From Mergui itself, to the southern boundary of our possessions in this quarter, is an immense tract of fertile but unpopulated country. Throughout it, however, there exist signs of its having been once peopled to a considerable extent; but owing, it is supposed, to the devastating and barbarous warfare that had uninterruptedly existed between Siam and Ava, from the time of Alompra, to our conquest of the country, the population has gradually disappeared, and nothing now remains, beyond the names of towns and villages with the sites of some of them denoted by wells and fruit trees. Within these last few years, a considerable number of people from the neighbouring Siamese states

have emigrated into our provinces, to escape the grinding exactions to which they are subjected. These people have been settled in some of the sites above alluded to, and have been assisted with small advances of money to enable them to clear the land and raise their own subsistence. Such people, however, are far from proving a valuable addition to the population. Looked on and treated by their own rulers as little better than slaves, the freedom they enjoy under us is too sudden and too great for them. They are sunk in apathy and listlessness and look to nothing beyond a mere temporary subsistence of the most wretched description. Hopes are entertained that this tract of country will eventually be found adapted to the cultivation of some of the valuable species of American Cotton, and experiments are now making with the Pernambuco and Sea Island.

Among the islands of the Mergui Archipelago appertaining to us, considerable collections are annually made of the edible bird's nests; an article depending for its value on the extraordinary taste of the Chinese, among whom it sells for upwards of its weight in silver, though to European palates, utterly tasteless and useless except as a thickener to soups or stews. The collection is sold as a monopoly and yields annually a large sum to the treasury.

After this brief description of each province, it remains to say a few words on the general subject of our possessions in that quarter.

The following statement will doubtless possess considerable interest:

	Population.	*Revenue.*		*Imports.*	*Exports.*
1833	89,968	3,32,000		11,04,638	9,48,521
1834	92,410	3,50,000		7,29,312	6,55,355
1835	1,00,070	3,75,000		5,91,392	6,36,697

ABSTRACT OF THE ABOVE STATEMENT FOR 1835.

	Population.	*Revenue.*		*Imports.*	*Exports*	
Amherst..	49,449	2,12,000		*4,57,150	*4,64,110	* These statements do not include the inland trade, of which no account is to be found but which could certainly tend to nearly double the sums here given.
Tavoy	35,415	1,22,000		93,115	1,04,026	
Mergui....	15,206	41,000		41,127	68,561	
	1,00,070	3,75,000		5,91,392	6,36,697	

Two things are wanting to the prosperity of the provinces and to enable them to contribute more largely than at present towards the payment of their own expenses: population and the introduction of some article of produce that may attract the skill and

capital of Europeans and other colonists. The latter, indeed, in a great measure involves the former, as should any species of cultivation be eventually found sufficiently attractive to such colonists, they will be under the necessity of bringing labourers with them, as the Burmese, leaving alone the very high wages they are now enabled to demand and to receive, would be found ill adapted for field or plantation labourers. A Burmah has no idea of the constant, unvarying, daily work that would be required of him, under such circumstances. He is too indolent, too unsteady. He will labour hard perhaps for a month or two at work that he likes and has been accustomed to, such as clearing jungle or felling timber, but he will then pass an equal time in doing nothing, living on the wages he has earned. He is incapable of steady labour and has never yet felt the pressure of want to stimulate him to habits of industry. It does not appear that any description of produce has yet been introduced that would answer the above purpose. Experiments are in course throughout the country with the Pernambuco cotton seed, and if it succeeds ample information on the subject will no doubt be hereafter afforded. A small sample of the cotton grown and forwarded to Mr. Patrick at the Glo'ster mills, was much prized by that gentleman, who declared it to be superior to any he had ever seen grown in India.

The question has often been mooted.—"What advantage results from the retention of the Tenasserim Provinces?" It may be answered as follows:—

1*st*. With the exception of the mouths of the Irrawaddy, we now hold possession of the whole eastern side of the Bay of Bengal. There is no doubt that during the last war with France, the Tenasserim coast with the numerous islands of it, afforded refuge to the enemy's cruizers during the violence of the south west Monsoon, from whence a few days sail only, brought them at once into the track of our merchant vessels; whereas our men-of-war were generally obliged to proceed to Bombay during that season and required weeks to return to the Bay. Trincomalie, whatever it may now be, was then a most unhealthy station, and proved the grave of our ships' crews. In case of a future war, not only are our enemies deprived of a resort to the coast, but the advantage is transferred to ourselves, and, if necessary, a naval station might with ease be formed either at Mergui, at the mouth of the Tavoy river, at King's Island between Tavoy and Mergui, or at St. Matthew's Island south of Mergui, the latter being described by Capt. Ross as one of the finest harbours in the world.

2*dly*. Our position in the Tenasserim Provinces, overawes both Ava and Siam. In case of a rupture with the former, we have easy access to Rangoon, either by sea or land, and a few marches would carry an army into the very heart of the country, securing possession of all the rich and populous towns and districts lying on the route from Martaban to Ava, a country possessing a large proportion of Talain population, whom a signal from us would raise in revolt against their present rulers, and who are known to be even now watching an opportunity of quitting the country and placing themselves under our own protection. Our neighbourhood is a subject of dread and alarm to Siam, and tends to keep up in that power an adherence to the treaties she has made with us, and to render her desirous of being on a friendly footing with us.

3*dly*. On the score of humanity, our position on the Tenasserim coast is of wide-spread and inappreciable benefit. We have put an end to the devasting and savage warfare that constantly existed between Ava and Siam. It is not the population of the provinces alone that are now freed from the inroad of their enemies, and from the almost as much dreaded presence of the forces of their former Government, sent either for their protection or to retaliate by similar inroads; but the states on our northern frontier and the from-

tier provinces of both Siam and Ava, equally enjoy the blessings of peace and security. Our northern neighbours are deeply sensible of, and grateful for, the benefits we thus afford them, and in their communications with us, the subject is often dwelt upon. "We are no longer," say they,—"obliged to confine ourselves within the walls of our towns, to cultivate our fields by stealth with arms in our hands, and to live in constant dread of ourselves or our wives and families being carried off into irremediable slavery." Again, the example of a more liberal, just and upright Government in their immediate neighbourhood, has had the effect of wonderfully improving that of the countries bordering on us. That of Rangoon, in particular, has been under the necessity of foregoing the system of rapacity and extortion which formerly existed; when the sole object of the individual entrusted with the Government, was that of filling his own and the purses of his relatives and friends. They well known that such a system would not now be endured, and that if resorted to, the people have a refuge at hand. It is a well known fact, that about two years ago an anonymous petition in the name of the people of Dalla (a large town opposite Rangoon, on the other side of the river) was read before the Viceroy in full Durbar, to the effect that the Government of the town was pursuing a system of exaction that was intolerable, and unless redress was afforded them, they would quit the place in a body and emigrate to Moulmein. The petition, as may be supposed, was not a little startling, and every means was resorted to ascertain how it came into Court. All enquiries were ineffectual, but the petition was attended to without delay.

4thly. From our position in this quarter, we may look to an eventual friendly intercourse with a wide and hitherto unknown extent of country, watered by the Salween, the Menam and Cambodia rivers, with their numberless tributary streams. We have the prospect, as already described, of being annually visited by caravans from the frontier of China; our own traders are fast pushing their way among the intermediate Shan states, tributary some to Ava some to Siam; and new routes are opening for the people of those states to visit us, without subjecting themselves to the exactions they usually undergo in passing through the territories of their almost nominal masters, who, when once the benefits of such a commercial intercourse have been felt, will find it no easy task to put a stop to it.

Such, then, are the advantages derived from our retention of the Tenasserim provinces. Eight years have seen the site of a long desected Burmese town converted into a flourishing and important settlement, the resort of traders from all parts of India, for whom an opening has been effected to hitherto unknown regions; the blessings of peace and order have been conferred on millions among whom war, rapine and pillage existed in all their horrors; and the road is open for the spread of civilization and knowledge among people, of whom a few years ago we were entirely ignorant. How cheering, also, to the friends of Christianity, is the prospect that now opens of a successful result to the labours of the persevering and untiring missionary. In the Tenasserim Provinces he takes his stand, secure from molestation or interruption, qualifies himself for his arduous duties, and either confining himself to the different people to be found in the provinces themselves, or boldly throwing himself into the surrounding countries, preaches the Gospel to thousands and distributes the printed "Word of God among all around him. He has to deal with a comparatively unprejudiced and unbigotted people, and the success of the American (there is no English) Mission in Burmah, is almost unprecedented in the annals of missionary labour.

OUR RELATIONS WITH CHINA

CONSIDERED WITH REFERENCE TO THE CASE OF LORD NAPIER.

A TRAVELLER.

CALCUTTA, DECEMBER, 1836.

Although the pamphlets of Messrs. Gordon, Lindsay, Matheson, and Sir George Staunton have been some time before the public, and must be familiar to all those who take any interest in Anglo-Chinese politics, a few observations suggested, by the perusal of these works, to one who has no other interest in the settlement of the important questions at issue between China and Great Britain, than that which belongs to him as a citizen of the world, may still be found to possess some claim to attention. Under that impression they are submitted to the public.

The advocates for non-interference with China, rest mainly upon the broad principle that when we go to a foreign port to trade, we are bound to submit to the terms proposed by that nation, and to its laws generally, while we remain in such port—or go away; but this principle, so undeniably just in the abstract, must, however, as Mr. Lindsay remarks, be received with some modifications; there must, it is clear, be a limitation to submission even in this case; for as in the intercourse of individuals, though a man may refuse to receive another, if he goes further and kicks him down stairs, the kicked may at least demand a reason.

So sweetly you bade me adieu,
But why did you kick me down stairs?

and the kicker must incur the responsibility of the *kickee's* resentment, if the answer be not satisfactory: so in the intercourse of nations, although one Government may exclude the subjects of another from trade or residence, it may not subject them to indignities while they do trade or reside, without incurring the responsibility of resentment. This illustration is homely, but it is emphatically applicable to the case China and British subjects resident therein, and particularly to the treatment of Lord Napier.

It is quite true, moreover, as Mr. Matheson shews, that China cannot now, consistently with reason and Vattel, claim the benefit of the abstract principle stated; because she has for for two hundred years permitted us to trade with her, and either avowedly or tacitly recognized rights and privileges, sanctioned now by the law of long usage, sacred every where, but more especially so in China, according to the professions of the Government of that country, where precedent is constantly, often falsely, pleaded as an answer to the claims of justice and the dictates of common sense. We have only hitherto asked from the Chinese, however, what is consistent with reason and the practice of civilised nations, and clearly reconcilable with the principle of reciprocity, as respects our conduct to that nation. We permit Chinese to come to our ports and trade with whom they please, or reside wherever they may find it convenient to locate themselves. As to Penang and Singapore, it might be urged that they confer advantages on us by their coming—that we are too glad to have them at those places; but in Calcutta we are certainly independent of them and there we have plenty of them, rather troublesome subjects, yet they enjoy every privilege of British

citizens. What would be said by the civilized Governments of Europe and America, (the Chinese Government perhaps cares not for its subjects,) were we to denounce their settlers as barbarians who must be governed without the laws, to limit them and any Chinese vessels coming to trade to Balasore roads, and to compel their wives to reside at Pondicherry? Allowing, as we do, to Chinese all and more than all the privileges we ask from them, on what principle of justice—by what law of morality or of nations, are we precluded from demanding reciprocity?

We have, then, to enquire whether we have any indignities or injuries to complain of. Passing over the more remote examples of insult and injury experienced by us, which are so well sketched in Mr. Gordon's clever and instructive pamphlet—conceding for the sake of argument, as he does not give his authorities, that as to some of them he may be mistaken, let us come at once to the case of Lord Napier, as an instance so flagrant, that it cannot be passed over without a stain on the national character of Great Britain. That some, perhaps many, of our fellow-subjects in China and elsewhere, whose integrity and intelligence are equally beyond dispute, hold that Lord Napier was entirely in the wrong and that he provoked and deserved much of the ill treatment he experienced, is beyond dispute; and in Sir George Staunton, those who take this view of the case have found a distinguished leader, who has not hesitated to affirm that His Lordship came to China unprovided with any proper official document—that the Chinese had *no* voucher for his authority but "his *ipse dixit*—the *ipse dixit* of a man whose very first act within the Chinese territory, was to violate their laws"! It is difficult to listen to, or to read, such assumptions as these with patience, notorious as the fact is, that whatever the Chinese functionaries may have pretended to the contrary—however great their *official* ignorance of his Lordship's rank or *status*, (an ignorance they would not allow to be removed) they could not but be well aware that the man who came with two men of war, which afterwards set their batteries at defiance, and made them tremble in their shoes, must be a man of authority. Still it must be conceded that if Lord Napier had come to China unprovided with any authority from his Government entitled to find credit with the Chinese authorities, and which he was ready to produce, the error would have been a fatal one, and the fact of his being unprovided with such a document, sufficient to justify Lord Palmerston's impeachment; but when we come to apply the infallible test of truth to these bold assertions, they dwindle away at once into mere quibbles or turn out to be assumptions having no foundation in fact. Thus on examining closely Sir George Staunton's statement respecting Lord Napier's having no proper official document, we find it qualified by the words, "from his own government *addressed to Chinese authorities*," in other words Lord Napier did not bring a "respectful missive," as the Chinese would call it—to whom? to the Emperor? Oh! no; we must not approach the Emperor; no, but to Governor Loo!!! "His Majesty William the 4th, King of Great Britain and Ireland, Defender of the Faith, &c., sends greeting to His Excellency Governor Loo"!! No truly, Lord Napier was not the bearer of a document so *dignified*; but he *was* the bearer of a Commission under the Sign Manual, appointing him Chief of His Majesty's Superintendents; he come in a man-of-war—a frigate; his authority was instantly recognised by British subjects in China, and unless His Lordship had been deputed to Pekin, what other voucher did he require? If the Chinese authorities were *officially* ignorant of his rank and of the circumstances described, and which were matters of sufficient notoriety, whose fault was that? Sir George Staunton complains, indeed, that they had no voucher but his Lordship's *ipse dixit*; but why had they not? Why, but because they would not admit his Lordship to an interview with the Viceroy, to which he was entitled by his rank—a rank recognized by his fellow-subjects in Canton and beyond doubt made known to the Chinese—of which they had as much evidence as they have required in other cases precedents which fully justified His Lordship in insisting upon an interview for the purpose of communicating in duet from his

authority and instructions.* The Chinese, indeed, deny these precedents, and in an edict of the Governor of the 2d September, declared that on examining they found that Ministers had had no intercourse with outside barbarians; but the precedents are matters of historical fact which cannot be set aside by the impudent assertion of a Chinese functionary. In the same edict, it was also falsely affirmed by the Governor, that "it could not be known whether Lord Napier is an officer or a merchant! yet before the date of that edict, three Mandarins of high rank, deputed by the Governor, had waited upon Lord Napier! viz., the *Kwanchow Foo*, the *Chaochow Foo*, and *Kwang chow hee*, an honour never yet paid by the Chinese Government to any merchant whatever; and had the Viceroy granted to his Lordship the same reception he had conceded to others of equal or inferior rank, his Excellency would have been duly informed of his Lordship's commission and functions; but this reasonable request was denied, and the Mandarins who waited on Lord Napier, refused even to be the bearers of a letter from his Lordship to the Governor; and then the Chinese authorities plead the *official* ignorance causedh y themselves—*the consequences of their own act*, as a *justification of their own wrong!!* Such conduct is worthy of them, alike consistent with their notions of dignity and morality; but it is unworthy of a gentleman of Sir George Staunton's character, to adopt their paltry pretexts and their special pleading casuistry.

A very favourite illustration of the vindicators of the conduct of the Chinese in the Napier case, adopted by Sir George, and the idea of which is derived apparently from one of the Chinese edicts, is this:—"What if an envoy were be deputed to a European Court, and without delivering his credentials, without any voucher for his authority or identity, but his own *ipse dixit*, should come to that court and insist on residing there contrary to the orders and wishes of the Government of the country?" but the answer to this alleged parrallel case, so frequently and so exultingly advanced, is not difficult. It might be objected *in limine*, that the fancied parrallel is no parallel at all, inasmuch as the question is not of an Envoy to a Court, and requiring therefore authority *to*, and demanding communication *with*, the Court, but of a Consul or Superintendent of trade at an outport remote from the seat of Government, and not asking for any communication with the court; but waving that objection and conceding for the sake of argument that the parrallel holds good in every feature, let us suppose a case of the kind occurring in Europe.

We will imagine then, that the Chinese are largely engaged in the export trade from Great Britain to China, that in order to carry it on successfully, many of them have taken up their abode at Liverpool, that the trade has been conducted under a monopoly, and superintended by agents of the monopolists; that the celestial Emperor changes the system and establishes free trade, and that thereby the authority of the mercantile agents is at an end and the British Government requires an officer to supply their place. He is sent, bearing the celestial Emperor's Commission, arrives and requires an interview with the Chief civil functionary at Liverpool, to present his credentials; that that interview is refused; and that *then* the Civil and Military authorities of Liverpool order him away, stop the trade, on his refusing to go, and endeavour to starve him out, heaping on him and his nation in the mean time, in proclamations, all sorts of insults and refusing even to receive a letter from him unless presented through some channel that would be degrading to him as they well knew. Should such a case occur, does any body doubt that the Chinese functionary, if he had a force equal to it, would order his vessels up the Mersey, and batter Liverpool about the

* As the fact that there are precedents on record has been questioned by those who eagerly espouse the non-interference policy, without taking much trouble to examine into facts, it may be as well here to refer to some of these precedents. Passing over the case of Captain Weddell in 1637, as perhaps not sufficiently authenticated, an intercourse with the Viceroy was maintained in 1734 on the part of the Supracargoes; in 1742, by Commodore Anson, in 1754 by the Supracargoes; in 1759 by Mr. Flint, and the Supracargoes; in 1793 by a Committee from England; in 1795 by the Supracargoes, in 1805 by Mr. Roberts and Sir George Staunton; in 1806 by Mr. Roberts and again by Mr. Drummond and Mr. Elphinstone; in 1811 by Sir George Staunton; in 1817 by Sir T. Metcalfe and Captain Clavell, R. N., and on many other occasions by the Chiefs of the Factory on their annual return from Macao.

Governor's ears? Can any one shew that according to the principles of individual courtesy and international law, he would not be amply justified in such a proceeding? and would civilized Europe listen for one moment to the paltry pretext, that the authorities of Liverpool were *ignorant of the rank of the Chinese functionary—had never seen his credentials*, when the only cause of such ignorance was their refusal to admit an interview sanctioned alike by reason and by numerous precedents? No,—such a plea may be adapted to Chinese morality; but such wretched casuistry could be an insult to the understandings of the civilized world.

It is a mistake to suppose that a mere question *of form* was involved in this demand of an interview with the Viceroy—it is equally an error to treat the concession even of a form or ceremony in China, as a matter of no importance; for the concession of a form there, is often the sacrifice of a very important principle. Had Lord Napier forwarded his commission through the Hong Merchants, or applied through them for leave to reside at Canton, he would not only have submitted to what would have degraded him in the estimation of the Chinese authorities, but he would from that very cause have placed himself in a position that would have rendered him utterly useless and powerless to protect British interests in that remote quarter. It is urged, indeed, that he would still have been in a position similar to that of the Company's Chief; but he would not; for a very obvious reason, that he never could have had that influence which the Company's servants owed to the circumstance of their being dealers to an enormous amount on behalf of their Honorable Masters, while Lord Napier, though a *representative* of trade, not trading at all, would have been in a very different situation; and had his communication with the authorities been made through the Hong Merchants, Mr. Dent or Mr. Jardine would have had more influence than the Chief of His Majesty's Superintendents, or than all the Superintendents combined, and might easily at any time have thwarted his or their views and measures, had they been so disposed. It is idle, therefore, to talk of the facility with which, by consenting to the proposed indignity, his Lordship and his colleagues might have quietly slipped into the shoes of the Company's Select Committee. In short, the Company's servants derived their vast influence from the capital they wielded; the Chief bearing his Majesty's commission, could clearly derive his only from *rank and authority*; but the meanest Mandarin would have laughed at the idea of his rank or authority after he had descended to petition through the Hong Merchants; for the wealthiest of the Hong Merchants, whatever secret influence his more wealth may give him, would *kow-tou* in public to the meanest Mandarin in office; since in the code of the Chinese Aristocracy, the vocation of the merchant is degrading, and this rule is constantly enforced; it is, in fact, a principle of Chinese polity never overlooked. The situation, then, in which such a proceeding as that of humbly petitioning through the Hong Merchants would have placed His Lordship, every one who weighs these facts may understand; that it would have been one quite devoid of power and dignity and of all utility, every unprejudiced man must admit.

By some who espouse the cause of the Chinese against Lord Napier, it is conceded that his Lordship could not have submitted to petition through the Hong Merchants; but then they argue that the great error, the original sin of the case, was that of sending out a nobleman and a commissioned officer. That is a mere assumption, but it is another branch of the question. It is enough now to maintain, that the *Taepan* sent out in consequence of a request of the Chinese authorities, was a man of high rank bearing His Majesty's commission and instructions to reside in Canton. These qualifications fully warranted his claim to be received by the Viceroy; and, as has been already urged, if his Excellency had no official intimation of these well known facts, the fault was his own and cannot be pleaded in defence of the treatment Lord Napier experienced at his hands. The respectful and courteous reception of his Lordship, which would have been alike

consistent with the professions of the Chinese government towards "distant foreigners", to numerous precedents and to the general practice of civilized nations, could not have precluded *subsequent representations against his Lordship's powers* or functions; but the excuse for the very opposite course adopted by Governor Loo, so ingeniously urged by Sir George Staunton, is, that his Lordship by his first act in China, violated the laws of that empire. That Lord Napier went up to Canton without that *permission* obtained through the Hong Merchants already discussed, is true; but that he proceeded there clandestinely, is *not* true; and again those who vindicate the Chinese authorities are challenged to show what law of the Empire his Lordship violated. A writer in the *Chinese Repository* observes, in reference to this question:—

"And what was the cause of all these strange proceedings towards the representative of the King of Great Britain? It is said that he transgressed the laws of the Chinese Empire. Then what laws and when and where did he transgress them? It is false to say that he came clandestinely to Canton: in full view of the forts and surrounded by man-of-war junks and cruizers he debarked from the frigates and came up the river in broad day, and but for a severe thunder storm would have reached the Factories at an early hour in the evening. *And no man forbade his doing so.* Did he transgress the laws in addressing a letter to his Excellency the Governor of Canton? It is false to say that it was a private or clandestine letter. It was addressed and forwarded in due form and common courtesy required its reception. Did the laws of the land forbid the Governor to receive it? Be it so, but where was the disobedience in presenting it. There is no law we venture to affirm amidst all the records of the Empire that prevents the presentation of such a letter, and none but uncivil not to unrighteous laws say, could prevent the reception of such an address: 'but he did transgress the laws'. How and when? Having brought an order from the Court of Directors that he should be received into their Factory and accommodated at their table, did he transgress the laws of the celestial empire in accepting their hospitality? And when etiquette required him to dispense with that hospitality, did he disobey the laws of the land in making arrangements for himself? Such a charge was never brought against him. Did he refuse to receive orders from the Hong merchants? Had he been a vassal of the Emperor, his refusal would have been disobedience. When his Excellency saw fit to send a deputation of officers, he received and treated them in becoming style and in doing so, there was surely no disobedience."

Yet without attempting to prove the charge of violating a law of the empire, Sir George Staunton's reasons upon it as established, and founds on it his sweeping condemnation of Lord Napier's proceedings from first to last! Sir George is a high authority on a question of Chinese law, but he is opposed in this instance by men as well-versed in the laws and in the language of China as himself. They are British subjects, however, and the worthy Baronet, adopting the *pseudo*-philanthropy of those who espouse with the zeal of partizans the cause of the Chinese against British subjects, employs Chinese casuistry and prefers Chinese evidence in support of that cause, and could of course pay no attention to the facts or arguments of foreigners in China, however distinguished these may be for integrity, intelligence, and an acquaintance with the language, manners and customs of the "central flowery land;" but he would have paid more respect, perhaps, to the admission of Governor Loo himself, that Lord Napier had not *throughout, violated the laws of China!* and at all events the weight due to such an authority cannot be questioned. In Governor Loo's memorial, no. 14, to the Emperor, reporting the *departure* of Lord Napier from Canton, his Excellency declares that although he, Lord Napier, had "*entertained absurd visionary fancies*, HE YET HAS SHEWN NO REAL DISREGARD OF THE LAWS."

In considering this case, we have nothing to do with Governor Loo's inconsistencies or the contradictions in his various reports. It is for him to reconcile them; but in this admission of his, in one of his *latest* reports to the Emperor, of Lord Napier's proceedings, we have an answer to the plea, the pretext of his Lordship's having violated the laws, that cannot be gainsaid; and whatever Sir George Staunton may say to it, on this point, at least, the whole world besides will admit that Governor Loo is a better authority than the worthy Baronet.

A vindicator of Lord Napier against the charge of violating the laws of China, might safely rest his case on what is already advanced; but it may be useful to offer a few words

• Why did not the worthy Baronet, the translator of the Chinese penal Code, cite the law violated?

connected with the subject, on the charge brought against his Lordship of posting up a proclamation almost in direct terms inviting the Chinese to rebellion. The answer is that Lord Napier never did cause any such proclamation to be placarded. What he did do in that respect, was this. Seeing his proceedings misrepresented and the grossest calumnies and insults widely disseminated by the Chinese authorities, he did cause to be placarded, a brief but clear and, in my judgement, plain and forcible yet temperate exposition of the real state of the case, no. 7, of the Official documents† entitled "*Interesting to the Chinese Merchants. Present state of relations between China and Great Britain. True and official document*". Many of the Foreigners thought the publication of this document premature, but there is not a word in it inviting rebellion, unless the exposure of the misrepresentations of Governor Loo, are to be so deemed; and that was justified by the shameful slander directed against his Lordship; but even that applies no stronger language to the Governor than that of charging him with ignorance and obstinacy.

The facts already advanced, establish the conclusion, that the Chinese authorities were wholly without justification for refusing Lord Napier the interview he required. Their treatment of his Lordship, when he was leaving Canton, is too painful to dwell on; and it is mournful to reflect that any British subjects should be swayed by passion, prejudice or selfishness into an attempt to defend such gross treachery and inhumanity. Sir George Staunton, however, is so completely carried away by his *pseudo*-philanthropy in favor of the Chinese, that with the zeal of a partizan, he waves all candour and fair dealing, and sinking facts which it would be troublesome to answer, leaps at once to his desired conclusion. He alludes only to the *detention* of Lord Napier at Hangshean, which he treats as a mere customary matter or as a result of precaution: now what are the facts of the case? Why those exhibited in the following statement. His Lordship having become seriously ill, Dr. Colledge, the medical officer in attendance on him, urged the necessity of his resigning all further attention to business and proceeding to Macao.

On the 18th of September, the 2d and 3d Superintendents being absent from Macao, Dr. Colledge addressed the following letter to the Secretary of the Chamber of Commerce:

Sir,—Lord Napier's, continued indisposition rendering it desireable that his Lordship should not be harassed by a continuance of the negotiation now going on with the Chinese authorities, and that his departure from Canton should not be delayed, I beg to inform you that I have undertaken, with his Lordship's concurrence, to make the requisite arrangements with the Hong Merchants in reference to the communication which you yesterday received from them.

(Signed) T. R. Colledge.

In consequence of this arrangement, a meeting took place at the Consoo House on the following day of which the subjoined are the true accounts:

Mr. Colledge's statement.

"I, T. R. Colledge, engage on the part of the chief Superintendent, the right honorable lord Napier, that his lordship does grant an order for H. M. ships now at Whampoa, to sail to Lintin, on my receiving a chop from the governor for his lordship and suite to proceed to Macao, lord Napier's ill state of health not permitting him to correspond with your authorities longer on this subject. One condition, I deem it expedient to impose, which is, that H. M. ships do not submit to any ostentatious display on the part of your government." Howqua replied: "Mr. Colledge, your proposition is of the most serious nature, and from my knowledge of your character I doubt not the honesty of it; shake hands with me and Mowqua, and let Mr. Jardine do the same."

Howqua and Mowqua's statement.

"The hong merchants Woo Tunyuen, and others (Howqua and Mowqua), reported that the said nation's private merchants, Colledge and others, had stated to them (the governor and his colleagues), that lord Napier acknowledged that, because it was his first entrance into the inner land, he was ignorant of the prohibitions, and therefore he came at once to Canton, without having obtained a permit; that the ships of war were really for the purpose of protecting goods, and entered the Bocca Tigris by mistake; that now he (lord Napier) was himself aware of his error and begged to be graciously permitted to go down to Macao; and that the ships should immediately go out (of the inner land) and he therefore begged permission for them to leave the port."

Every one who knows any thing of the parties—any one who is in the least acquainted with the utter disregard of truth which the Chinese display, will know to which of these

† Vide Appendix.

statements credit is due; but if any one in the spirit of Sir George Staunton's partiality for the Chinese, should prefer that of Howqua, even that will not afford a pretext for the conduct about to be described.

Dr. Colledge, in his notes published in the *Canton Register*, thus proceeds with the sanction:

"We all joined hands. Howqua and Mowqua then left us to go to the governor, and in the evening returned with an answer that all was arranged according to my proposition, and that no mark of insult would be shown to the ships in passing the forts at the Bogue. The following morning Howqua and Mowqua sent to say that we could not leave Canton that day, as they, the merchants, were engaged in a further discussion with the governor, relative to our departure, which lasted until 10½ P. M., when I saw Mowqua, who told me all was settled, and that we might go next day.

"The foregoing is the substance of the agreement, and both Mr Jardine and myself excepted that Lord Napier and suite would be permitted to go to Macao in the usual manner foreigners do, viz., stopping only at the Heang-shan chophouse. However, to my great mortification, we had not left Canton two hours, before I discovered we where under a convoy of armed boats, and that we should not be allowed to pass beyond a few miles from Canton that night,—the boats having anchored at the pagoda fort, in sight of a part of Canton. Monday 22d, we again got under way, and proceeded *slowly* and *tediously* under a convoy of eight armed boats, two transports carrying a military, and another boat with a civil mandarin, in charge of the whole squadron. Although the wind was generally favorable, we did not reach Heangshan till about midnight of the 23d. And it is now that I have to describe a scene of treachery practised upon his lordship, which was not only annoying, but so greatly injurious as to aggravate the symptoms of his complaint, and cause a relapse of such as he had nearly recovered from previous to his leaving Canton. We were detained here from the time of anchoring the boats on the 23d, until 1 o'clock P. M. of the 25th, amidst noise, confusion, and beating of gongs, such that his lordship could barely support. This was by me repeatedly complained of. At daybreak of the 25th, I sent a message to the civil mandarin through a linguist, informing him that I could not hold myself responsible for the safety of his lordship, if such an unwarrantable course of oppression was persisted in; that I had no medicine with me applicable to the change that had taken place in his lordship's complaint. The linguist was received by the mandarin, but could elicit nothing satisfactory as to the probable time when we should proceed to Macao. Provoked at length beyond all endurance, by this cruel display of power, I requested the linguist to accompany me to the mandarin's boat, which he did without any kind of reluctance; and on the linguist's sending up my name, an interview was immediately afforded me. Through him, I most fully explained lord Napier's sufferings, and the danger of delay under such circumstances. The mandarin replied, that he must consult with the Heang-shan authorities, before he could promise to *release* us, but that he would lose no time in representing my statement. No further communication took place until 1 o'clock P. M., when the said mandarin, accompanied by two others of an inferior rank to himself, came to us, and handed me the Heangshan pass.

'I consider that lord Napier's illness was much aggravated by this unjustifiable, and, as far as I can learn, unprecedented detention

(Signed) THOMAS R. COLLEDGE.

Macao, September 28th, 1834.

In addition to this evidence of the inhuman treatment which Lord Napier experienced, the following is a further and official testimony to the same effect.

To the Editor of the Canton Register.

"Sir,—Considering it due to the memory of the late right honorable lord Napier, and to the feelings of an anxious and kind public, we are desirous to convey our opinion with regard to the cause of his illness, through the medium of your paper, and to state that we conceive the origin of his complaint to be wholly attributed to the severe labor and anxiety which devolved upon him while at Canton.

"His lordship's health began to fail about the beginning of September, and an attack of fever supervened on the 9th, a period replete with events of a most harassing description, and under circumstances the most disadvantageous to the nature of such an affection. Feeling compelled from a high sense of obligation to his country to persevere in the execution of his duties, he refused to leave Canton until the 18th, on which day Mr. Colledge prevailed on his lordship to relinquish the toils of office, and proceed to Macao for the more complete recovery of his health; at this time the violent symptoms of the fever subsided, and a change alone was looked upon as necessary for its re-establishment. The 21st, his lordship embarked for Macao, accompanied by Mr. Colledge, and passed the following day comfortably, although much annoyed from occurrences already detailed. On the 23d, during the cruel, needless and vexatious detention, experienced amongst the noise of gongs, crackers, and firing of salutes, which our mandarins kept up by the boats in attendance, in spite of repeated remonstrances, his lordship suffered a relapse of fever; and he landed at Macao on the morning of the 26th, more exhausted and altogether in a worse state than he had ever been from the commencement of his illness. And from this time, notwithstanding the comforts that surrounded him, and the unremitting attention of his affectionate family, he continued to decline until the day of his death.

We are, Sir, your obedient servants,

T. R. COLLEDGE;
ALEXR. ANDERSON,
Surgeons to H. M. Superintendents.

Macao, October 20th, 1834.

There is reason to believe that his Lordship would have recovered but for the treacherous and brutal conduct above described; and at least it is certain that that treatment greatly increased his Lordship's sufferings and accelerated his death. Have we not a right, then, according to the principle of our own law and of reason, to charge the Chinese authorities with his Lordships death? And what was the pretext for the inhumanity which caused it—a pretext which even the Chinese are ashamed to urge, but which is put forth for them by one of their British admirers and defenders—Sir George Staunton? Why, that the object of the delay was to prevent his Lordship getting down to Macao before the frigates were fairly out of the river; but the frigates, according to the Chinese official report, passed the Bogue on the 23d. The detention of Lord Napier at Hanshean, although he had been unnecessarily delayed before, commenced on the 23d, and was continued until 1 P. M. of the 25th, so that there is not a shadow of excuse for it. But what are we to say to Sir George Staunton's candour in talking of detention only, as if there had been nothing in the circumstances of the case to render that detention in any form cruel—as if there had been nothing done to aggravate that detention and increase its pernicious effects in a ten-fold degree? On this point the public have to choose between the assertions, or the assumptions, of Sir George Staunton, and the official reports of the Surgeons above quoted, by which these assertions or assumptions are directly contradicted. If these honorable men are to be believed,—if their veracity in the statement of what passed under their observation, and their professional opinion on a case which was under their treatment may be relied on, (and who will venture to question either?) then was the death of a nobleman bearing His Majesty's commission, at least greatly accelerated if not actually caused, by treatment for which even the most zealous condemners of his proceedings cannot allege the slightest excuse,—for which none of them, indeed, except Sir George Staunton, venture to attempt to frame even a miserable apology! The Chinese, in their lying manner, allege that his Lordship had apologized, &c., and that having done so they permitted him to retire in due form. On their own shewing, then, they have in their subsequent conduct been guilty of the breach of a honour and humanity which demands redress—which cries aloud to heaven for vengeance; they have hunted to death one who even as to them was no longer in an offensive attitude, and who, as to the British subjects in China, had by universal admission so borne himself, that

> his virtues
> Will plead like Angels, trumpet tongued, against
> The deep damnation of his taking off.

But what then, when redress is called for, what is the answer?—an attempt to deny or disprove those indignities and cruelties to which his Majesty's Superintendent in China was subjected!—no: but we are told by the *Morning Herald*, for example, that "the teas will smell no worse for them?" Such is the language of a journal, the organ of a party perpetually whining over our departing or departed glory!! True it is, that the teas will taste no worse for the treatment of Lord Napier; but to those to whom the national honour is dearer even than bohea, the question addressed is, whether that treatment does not merely justify but render it imperative on the British Government a demand *ample* redress for the past and sufficient security for the future.

Enough has now been said of Lord Napier's proceedings; but it is right to observe that if his Lordship's wishes had been complied with, though he would not even then, perhaps, have been able to act in a very different manner, he would at least have deprived Sir George Staunton and others, of some of their grounds of objection to his proceedings. The *Chinese Repository*, the conductors of which had access to good authority, says that his Lordship, foreseeing the difficulties that might arise from his not being recognized by the local authorities before leaving England, requested that in case of necessity he might have

authority to treat with Pekin; this request being denied, he desired that his appointment to Canton might be announced at the capital, and that being refused, he wished for a communication addressed to the Governor of Canton: that was not granted, but his Lordship was directed to come to Canton and report himself by letter. Now if his Majesty's Ministers, in refusing these documents, acted under the impression that they would be very likely to furnish a pretext for making delays and difficulties, they were quite right. The Chinese authorities would still have said, we don't want a *Taepan*– we want one to communicate through the Hong, whoever heard of a Superintendent of trade communicating with the Emperor; for a letter from Ministers they would have treated as they did Lord Napier —they would not have received it except though the Hong. In fact they would have refused to allow Lord Napier to come to Canton at all, except after humble petition; for they would clearly not have recognized him as an ambassador, but merely as a *Taepan* according to *their* idea of the office—and as such precisely the same objections as were raised would have been made; but what do Ministry say to the case? If the want of such documents justifies the Chinese, in what a situation are they placed who refused them: if not, on what principle—on what pretext can they defend a tame submission to the insult and injury inflicted in that case without any cause, on the officer whom they deputed to China bearing a commission under the Sign Manual? It is for them to say, and time will develop their answer; meanwhile assuming that the national honour will be vindicated and our relations with China be placed on an intelligible and secure basis for the future, it may be useful to submit some considerations on the means of attaining these ends.

Every thing we know of the character of the Chinese Government, and all that is recorded of our relations with that power, amply prove that any appeal for redress to the celestial Emperor, which is not supported by a demonstration of force—is not in fact addressed to his fears, will prove futile and mischievous. We have only then to consider of the nature of this demonstration. On this point Mr. Lindsay has been very specific; but perhaps it would be better to leave details to professional men. If the British Government can once be brought to admit the necessity of demanding redress for the insults offered to Lord Napier, there can be no reason to doubt that they will be equally ready to perceive the wisdom of doing so in a manner likely to insure the desired result; now nothing short of the appearance of an imposing force as near the capital of China as may be, will accomplish that object The idea of again attempting communication *viâ* Canton, should be abandoned; for all parties agree that that would be useless. An ambassador should be deputed at once to Pekin and be landed from an armed steamer on the bank nearest the capital of the Pei Ho, which can be ascended by vessels of light draft to a point within thirty miles of the imperial city. The intelligence that the Ambassador came attended by an imposing force, would insure for him something more than a mere respectful reception at the Imperial Court, and he should be instructed to plainly submit to the Emperor, the alternative of the application of that force; but, it will be objected that this proceeding would be in fact a declaration of war—yes, but it is the only means, by which you can ever insure permanent peace with China.

Ostendite bellum, ut pacem habebitis,

is, in short, the maxim strictly applicable to our policy towards the celestial Empire. It is time to eschew the "speculative benevolence" which constantly places a semi-barbarous nation in a position of advantage over us. It is too much to permit the advocates of non-interference and submission to insult, to contend first, that the Chinese having evaded and not sought intercourse with foreigners are not bound by the "laws of nations", and next to admit their plea, that we must not seek redress because those laws require those who proceed to a foreign country for trade or other purposes to submit to the *lex loci* whatever it may be. The truth is, there has been an over refinement in the reasonings on this

question, which has rendered them utterly inapplicable to the particular case and quite repugnant to the common sense maxim that every general rule has exceptions which, in fact, prove the rule. The abstract principle so much relied on, has misled those who so eagerly advance it. It is idle to talk of adhering to this principle in its integrity. Take for example the case of accidental homicide of a Chinese by some British subject or subject unknown. In this case the law of China requires a victim, that same law recognizes torture as a mode of judicial investigation. Are the British philanthropists, who profess such horror at the very idea of departing from their admired principle, prepared to admit the application of it in such a case—to admit that an innocent fellow-subject should in such a case be tortured and strangled? If not, what becomes of their principle—their immutable rule; and who is to draw the line between the rule and the exception? It is clear then that in dealing with semi-barbarous nations we cannot invariably apply to them rules of policy founded upon principles of justice and humanity, which they neither recognize nor understand. That there are cases in which a civilized nation is justified in vindicating both, by an assertion of power—by arguing with force where reason would be in vain applied—and this is precisely the case of China and Great Britain. The advocates for demanding redress, handle this matter too delicately. If war be the result of the proposed proceeding what then? How many of our wars—how many wars of the civilized world, have had so good a justification as a war upon China by great Britain would have? Passing over remoter numerous illustrations which history affords us, have we not seen two great nations, America and France, on the eve of a war on account of a few harsh words in a Presidents' message to congress! and yet, when a British subject bearing the King's commission is worried to death, as lord Napier was, *after* a pledge of safe conduct, to say nothing of previous insults, which some attempt to excuse, we must not demand redress forsooth!—Why? Because an abstract principle forbids us—or because, perchance, the trade may be interrupted!! The answer is that the true way to secure it permanently against interruption, is to bring these haughty, conceited, impotent Chinese to a sense of justice, by convincing them that we have the power to exact it when denied, and the will to exert that power.

Assuming then, that an Ambasaador so supported and instructed be sent to Pekin, we have to consider what are the propositions he should submit to the imperial court of China. The dignity of the nation would require that the first object should be redress for the insults offered to Lord Napier, the public degradation of every officer concerned in the brutal treatment of his Lordship, and the publication in Canton of an edict announcing the Emperor's regret for, and disavowal of, those proceedings—and a complete recognition of the equality of His Britannic Majesty. As a corollary to this proposition would follow, of course, the demand that a successor to his Lordship be received with due honour, and that as a guarantee for his respectful treatment, as well as for the protection of the trade, His Majesty's ships should have free resort to the port of Canton as well as any other ports be hereafter open to the trade. As an additional security against mis-understanding and in conformity with the practice of civilized nations, the residence of a British Envoy at the Imperial court should be required.

These points conceded, the question of arrangement for the trade and the due protection and convenience of British subjects engaged in it at Canton, or elsewhere, should be entered on; and here again, after the provocations given to us, we should be guilty of supreme folly, sacrificing the interests alike of the people of China and our own, in bowing implicitly to the abstract principle of the right of the government of that country to make what regulations they please. We should assert our power to insist on terms consistent with reason and not prejudicial to the interests of China, on the principle of *reciprocity*—no more but even much less than we are willing to concede. The Ambassador should be instructed to require that all insulting terms applied to British subjects, should be banished for ever

from edicts and public documents. The abolition of the Hong and the privilege to our subjects of trading consequently with whom they please. Permission to reside where they please and have their families with them, in the city or out of it. The due publication of an imperial tariff and that no duties not stipulated therein to be paid by foreign merchants. That the ports of Amoy, Chusan and Ningpo be again open to the trade. That in all cases of crime or alleged crime involving the penalty of death, British subjects be tried by a tribunal constituted under the authority of the British Superintendent, Resident or Consul at the port, at which tribunal of course the Chinese authorities or perssons deputed by them, should be permitted to ask questions and watch over the proceedings, the court being also perfectly open. These are some of the essential points to be insisted on.*

Of course it is not to be supposed that the Imperial court of China would readily yield these claims; but the appearance of an imposing force in their rivers, the remembrance of the Burmah war, would in all probability induce them to give way; for in no one instance have they failed to yield to an appeal to their fears supported by adequate force. But if they should not yield, what then? Why, then, it would be as easy as it would be justifiable, to take possession of one or more of their ports east of Canton,—Amoy, Chusan or Ningpo, or all three where the trade which they could not prevent would soon find its way. This would be a much more efficacious measure, and quite as justifiable as taking possession of an island on their coast, and not only more efficacious, but infinitely more humane than blockading their ports, seizing their coasters, and thus inflicting misery upon the very people who have ever been most ready to trade with us in defiance of authority, while the Chinese government would be utterly indifferent to such a proceeding. That we could easily occupy all these ports in spite of any resistance of the Chinese forces, is beyond dispute, and therefore to have recourse to any measure equally odious in Chinese estimation, equally amounting to actual war, would be absurd and impolitic.

Such then seems to be the policy demanded towards China, by our present position with respect to that country, and it only remains to add a suggestion as to the future government of our relations with the Imperial court. Great evils have already arisin from the immense distance of the executive government of Great Britain from the country with which we carry on so vast a trade. In case of any emergency, the answer to any reference must be so protracted, as to be entirely too late to repair any mischief—to be of any use. Again the executive government at home is so frequently engaged with questions of home policy of vital importance, that months may elapse ere any attention can be paid to a reference, however urgent; so slow are the moments of the home government, that to this day nothing appears to have been done in regard to Lord Napier's case; although three years have elapsed since his Lordship's death, and so uninformed (no doubt for want of time to attend to the subject) do his Majesty's Ministers appear to be, as to what is actually the state of affairs in China, that one of them lately stated in his place in Parliament, that our Superintendents were still in Canton, while the fact is that not one of them has been there since Lord Napier left that place, while all three are maintained in their situations, besides a secretary and interpreter, at an enormous cost to the nation, although they cannot, and do not, approach Canton, and are totally unrecognized by the Chinese and utterly powerless for the purposes for which they were appointed. Had a reference to a nearer authority than that of the home government been available; at least, such a flagrant abuse as this, would have been prevented;

* It may be objected that such a arrangement could not be reconciled with the principle of reciprocity, as we should never allow a Chinese Court to be established in Great Britain. No, not precisely, but we should give them the benefit of milder laws and put their countrymen on the Jury? advantages fully equal to those we ask from them.

and if it had been decided not to demand redress for the past or security for the future, the absurdity of keeping up at great cost, appointments, rendered useless by the insolence and obstinacy of the Chinese, would have been avoided. The remedy for this evil would seem to be, if not to place our relations with China under the control of the Supreme government of India, at least to give that Government a discretionary power of interference whenever our authorities in China should deem an appeal to it necessary. The advantages of such an arraugement are too obvious to need being stated in detail, and the authority which presides over the destinies of millions of our fellow-subjects, with powers ample beyond example in the British dominions, may surely be safely entrusted to respond to any appeal of His Majesty's Ambassador or Superintendents in China, for mediation or aid to resist encroachment and protect British rights in that quarter.

POSTSCRIPT,—*March* 1837.

The publication of the foregoing remarks having been so long unavoidably delayed by the publishers, I deem it necessary to add a few lines, adverting to what has since occurred relative to China. Ministers have, it would seem, resolved on passing over *sub silentio* the case of Lord Napier, and of thus placing the British nation in a most humiliating posture in reference to China. They have appointed as Chief Superintendent, Captain Elliot, of the Navy, a gentleman who bears a very high character both for worth and talent, and whose good qualities, indeed, have won for him the esteem and regard of all who have the honour and happiness to know him. From all I can learn, however, of his instructions, it would seem that he is required to submit to the very conditions with which Lord Napier refused to comply! It has been stated that Captain Elliot had been in negotiation with the Hong Merchants, and I infer from the latest accounts, that he was awaiting at Macao, the result of a Petition to Pekin, to permit him to proceed to Canton. Since he has thus duly humbled himself, the Imperial court will most probably think proper to overlook the circumstance of his having acted under Lord Napier and allow him to proceed to the "Provincial city;" but I am firmly persuaded, that in a situation so undignified, he will be utterly powerless there, to protect British interests or to answer any purpose of his appointment; unless it be that of arresting refractory seamen and sending them on board their ships—a business for which it is surely not worth while to employ two Superintendents and a Secretary on high salaries. If I am not mistaken, Captain Elliott is, and has been all along, of a different opinion; he thinks that Lord Napier should have submitted to the conditions of the Chinese: and hence I regard his appointment as an unequivocal manifestation of the determination of Ministry to adopt towards China a policy which seems to me discreditable to the nation and calculated to defeat the object they have in view. Already I think we may trace in the recent accounts from China, indications of a design on the part of the Chinese to presume upon this mistaken forbearance, which they will ascribe to weakness and pusillanimity, and as the trade and the number of British residents in Canton increase, our relations with the celestial empire will become more complicated and difficult to manage, and the foreigners be compelled to submit to new indignities and exactions, against which Superintendents with a mere shadow of authority, and without any influence like that which the Company's servants derived from being the dispensers of an enormous sum in trade, will in vain remonstrate. Such are my views of the consequences likely to flow from the policy of submission and humiliation; *mais nous verrons.*

THE

CALCUTTA MONTHLY JOURNAL.

1837.

SUGGESTIONS TO TRAVELLERS VIA EGYPT TO ENGLAND.

To the Editor of the Bengal Hurkaru

Sir,—As the route between England and India by Egypt, is now becoming more general than it was, perhaps I can say a few words upon the subject, which may prove of some use to future travellers.

I shall follow my own route, and suppose the traveller safely arrived at Alexandria. The first Egyptians who will present themselves to his view on landing, indeed before he is fairly landed, are a number of ragged urchins, shoving miserable donkies into the water towards your boat, displaying their whole knowledge of our language in bawling out, "very good jackass, very fine jackass." Upon one of these said very fine animals, I recommend him to take a seat, as there is no other mode of conveyance (unless he prefers walking through the dusty streets) and proceeding immediately to the consul, Mr. Sloane, who is very obliging and polite, and will give the aid of the English Janissary, Selim, to whom I advise the baggage to be made over: he will have it passed through (i. e. by) the custom house, and carried to the inn, at a most reasonable charge. I paid him for mine, one dollar. There is a hotel in the middle of the town, kept by an Italian, which is somewhat hot from its situation, and another by Mr. Hume, in a pleasant enough quarter, though dust exists in abundance in all parts of Alexandria. The accommodation in Mrs. Hume's house is not good, the food worse, and one is absolutely devoured by flies: I have seen the food black from them. The charges, too, are high,—two and a half dollors, or five rupees a day, per head, for food and lodging,—wine and beer extra. Little need be said of Alexandria; there are only two streets that can be so called, in the modern town. The remains of the ancient city consist of vast mounds of rubbish; and fragments of walls are visible to the depth of thirty feet, where people have been digging for bricks and stones. I should think there was great scope for antiquarian researches in Alexandria, by digging deep enough. The French consul Monsieur Mimaut, about a year ago, discovered a great treasure, the original, in bronze, of the Warwick vase: he found it in a small niche under ground, completely built up with brick and mortar, and filled with fine sand, in which the vase was bedded. It was in good preservation, looking as if it had just come from the artist's hands. He described the niche as resembling a small oven built up, like one of those places in which the natives of India, to this-day, bury their treasure. This exquisite specimen of Greek art, along with a very valuable collection of curiosities, was to be sent to France.

From Alexandria the traveller goes by the canal to Atfee, on the bank of the Nile. The canal, at present, is separated from the river by an embankment, to prevent its being choked by the mud and sand of the Nile, which would otherwise rush into it, so one must move into another boat in order to proceed up the Nile to Cairo. I was just twenty-four hours from Alexandria to Atfee, where I had a note to an Italian employé, styled Illustrissimo, who spoke a little English, which he immediately put into practice, by asking me if I had brought my "woman" with me. I started next morning and arrived at Cairo on the third day, though we did not sail at night. These boats are not unlike beauleas, having little cabins, but so low that one cannot stand upright in them; indeed, in many of them it is not possible to sit in a chair. They have generally two masts, sometimes three, furnished with immense lateen sails, and sail beautifuly. As in India, they are sometimes tracked up the stream; but, alas! the dirt and vermin in them, are beyond description; even sinking the boat does not always dislodge the enemy; and the boatmen too are covered with them, as their blue shirts are never washed and their bodies very rarely. The dress of the boatmen consists of a coarse blue shirt with immense wide sleeves, which are kept out of the way by a string round the shoulders; but whenever there is any particular work to do, they claw off with one hand this solitary garment, and, without hesitation, appear in a state of primitive simplicity. Fine, sturdy, powerful fellows they are, although they live upon the most poor and scanty fare, and, after seeing them, one does not think Michael Angelo's designs exaggerated. Sometimes, by way of fun, they made a waistband of reeds, or grass, or the slender branch of a tree, after the fashion of Ulysses, as described in the Odyssey, appearing before the princess.

The place of disembarkation is Boolak, which may be called a suburb of new Cairo, though the landing place is about two and a half miles from the gate of the city. Here the services of the English Janissary must again be put in requisition, to pass the baggage through the custom house, also to obtain permission for any milk goat or cow to pass in, as no female animals are permitted to enter the city without a pass, upon pretence that they may be killed and eaten, and thereby endanger the health of the Pasha's liege subjects. Of course the pass money paid on such occasions, has no influence in causing this sage Hygeian enactment. My goat was detained three days, and a friend of mine lost his altogether. In leaving the city the animal was put under charge of a Janissary, and went out, under the shadow of his protection, without any questions being asked. After the misserable villages in Evgpt and on the Arabian Coast, no wonder the natives talk in raptures of Grand Cairo; but to those who have seen Europe or India, it appears a wretched place. The Streets, or rather lanes, are very narrow, like those at Benares, (with the exception of one or two) unpaved, thronged with camels, donkies and water carriers. The shops are little, open, raised places, exactly like those in India, and in many of the bazars, planks or mats are laid across from roof to roof, to shade from the sun the street below. The houses have a dismal appearnce as glazed windows are not in general use, but wooden shutters pierced in different patterns admit light and air. The roofs are flat and covered with mud, so when rain falls, of which there is a little, there or four times in the year, about November, they are perfect sieves. It is said, that since the Pasha planted trees in his gardens, and about the town, rain falls more frequently than formerly. The population is most motley,—Turks, who are fair as English,—Arabs who are dark as Hindoostanees,—and Copts who are of a complexion between the two. The former wear immense baggy trowsers with tight leggins, and waistcoats and jackets very much like our own, with the universal turboosh or plain red felt cap with blue tassel. The Arabs of the lower class wear blue or brown shirts with a coarse turboosh, or a bit of dirty cloth by way of turban; the better class, a sleeveless silk pelisse flying open, with either the red cap or a striped handkerchief tied under the chin. The Copts are distinguished by their black turbans. All the females, even to beggars, have a veil, that is, a long scrip of cloth hanging down like an elephant's proboscis, which permits of the eyes only being seen; they also wear a kind of shirt and a sheet thrown over them: amongst the higher orders, the latter is made of silk, generally black, and the veil of white with immensely wide trowsers and yellow morocco boots turned up at the points with yellow slippers over them. In this garb they appear out of doors, either on foot, or riding astride on donkies; those of consequence with a footman bearing a wand, running before them to clear the way. The native population of Egypt, who are not Christians or Turks, are indiscriminately called Arabs. It is worth while to visit the citadel, from which there is a most commanding view of the city, the tombs of the Caliphs, the Desert and Pyramids, and except the little green in the direction of the Pasha's gardens, all appears arid and desolate. The deep well, in the citadel, sunk in the rock, with its winding gallery to descend by, is a remarkable object, and its construction is attributed by the Egyptians to the Patriarch Joseph, though most probably the work of the famous Saladen of crusado memory, whose proper name was also Joseph.

The Pyramids are about five or six miles from Cairo: on the way to them one must go through old Cairo, then cross the river and pass over some cultivated country, which extends to the foot of the strong ridge on which they are situated. I was disappointed in them. The best view of the Pyramids is from the river below Cairo, where their base and the ridge being concealed by the intervening trees and lanescape, they have an appearance of height, which they do not actually possess, fancy tracing their outlines down to the level country.

I lodged with an English widow, Mrs. Vasilikèe, a perfect Cockney, whose long sojourn in this land of dust and flies, had in no way diminished her truly English tastes for cleanliness and order, for I witnessed the phenomenon, which it is in this country, of her daily scrubbing and washing the stone floors of her house. The poor old lady's recollections of home must, however, have become somewhat faded by long absence, for she told me she was very partial to her house, because it was so cottagelike. Her cottage was a flat-roofed, sombre place, with small latticed windows, in the widest part of the widest street in Cairo, about 20 feet across, not a bush or tree near, and, altogether, as unlike as possible to an English cottage. Of course I expatiated upon its rural qualities at which her eyes brightened, and next morning her darling abode was scrubbed and washed with more assiduity than ever. I was expressing to her what I thought of Egypt's capital, and launching out upon its melancholy look, when she said, "why, sir, so I once thought, for when I first came here with my poor husband, I did nothing but cry and ask him why he had brought me to such a dust hole." Nothing can be more true or graphic than Mrs. Vasilikee's description of this famous city.

We left Cairo on the 20th of June 1836, and reached Thebes on the 27th, having had all the way strong northerly winds, which prevail at that season, and sailing day and night. The course of the Nile is between hills, which appear to be of sandstone. Those on the east side are generally near the river, in some places close to the edge; on the west side they are generally at the distance of some miles; and all the intermediate flat lands are cultivated.

I consider the grottoes of Beni Hassan on the east bank, sixteen miles above Monsiieh, as very interesting; they are excavations in the hill, of which there are numbers all over

Egypt. The largest one at Beni Hassan is exceedingly curious, from its painting of the trades and amusements of the Egyptians three thousand-five hundred years ago. There are no trees or cultivated land near,—nothing but bare sandstone hills.

The great temple at Dendera, when I visited it, was in an almost perfect state, only requiring the sand to be cleared away to shew it entire, and in all its proportions; but the Pasha had just then commenced pulling down the gateway before it and the temple itself, for the sake of the fine large cut stones, and, ere long, this fine monument of antiquity may cease to exist, through this man's barbarism.

At Thebes, the ruins are scattered over an immense extent on both sides of the river, and are, indeed, magnificent and wonderful. The French Government has built a few rooms over one of the temples at Luxor, which by obtaining the consul's permission, any traveller can occupy; we did so. Luxor and Carnac, are on the eastern side of the Nile, and Medinet Habou, and the tombs, on the western. From what I had read and heard of the Egyptian architecture, I had formed an idea that it was a sort of dumpy monstrosity, a black dwarf to the rest of its kind; but I was most agreeably disappointed. The beautiful proportions of the columns, their majestic height and size, excited admiration. The painting of some of the roofs was the most exquisite thing I ever saw, of the richest blue studded with yellow stars, the idea and execution alike lovely. The noble portals which stand before the temples and palaces, are far superior to any Roman Triumphal arch; in fact, no comparison can be made. The tombs of the kings are on the western side of the Nile, five or six miles from Luxor. After crossing the river and part of the plain, the path winds amongst arid hills through the most desolate scene imaginable; not a bird, not a blade of grass, not an insect to be seen. The entrance to the tombs is an opening in the ground, and a flight of steps, down which one descends to a passage with small rooms on both sides, and farther on, some large ones, all of them carved and painted. The receptacles for the bodies are generally immense granite or basalt sarcophage, none of them entire, and some of them have been altogether taken away. Thebes, even deserted and desolate, is a wonderful place; and, in its high and palmy state, must have merited Homer's description.

> The world's great empress on the Egyptian plain,
> That spreads her conquests o'er a thousand states;
> And pours her heroes through a thousand gates,
> Two hundred horsemen and two hundred cars,
> From each wide portal, issuing to the wars.

I shall not myself enter into any details regarding the antiquities; but transcribe the following notes drawn up for me by a friend at Cairo, as a guide up the Nile, which will be found interesting and useful.

The great pyramid of Saccarah; contains a small chamber with a few hieroglyphics, differing in this respect from all others. The arched tombs (now nearly destroyed) proving the pre-Augustan existence of the masonic arch, is of the time of Psametichus 2nd, about B. C. 604.

Mit Rahony, a large colossus of Ramises 2nd, the supposed Sesostris. Mounds and indistinct remains of Memphis. On the right bank are the quarries from which a portion of the stones for the pyramids were drawn. In one part oxen are represented drawing a block placed on a sledge. A little to the south of the modern village, is an inclined plane, leading from the quarries to the river.

Thirty-four miles further to the S., at Atfieh, mounds of aphroditopolis, but without ruins.

Left bank, false pyramid (Meidoum) difficult of access on account of the canal.

Three miles beyond Feohn, and on the opposite side, (right bank) remains of crude brick walls, with hieroglyphics on the bricks.

Right bank, 8 miles N. of Mencijeh, is Fehoah, the ancient Acoris. Greek Ptolemaic inscription. Tombs cut in the rock with inscriptions. Roman figures in high relief. Quarries on top of mountain with a tank for water.

Right bank, 7 miles beyond Mineijeh, is Roha Ahman, some grottoes, and ruins of an old town.

Nine miles further (right bank) Beni Hassan; remarkably interesting grottoes of the time of Osortisen (about B. C. 1740) in whose reign it is calculated that Joseph arrived in Egypt. To see them well, the surface must be slightly oiled; and the paintings explanatory of the trades, amusements, domestic arrangements, &c., of the ancient Egyptians, merit particular attention. In the columns of the best grotto we recognize the origin of the *Doric Order*. In the entablature over the doorway, observe that the ends of rafters are sculptured instead of mutules and triglyphs.

About a mile and a half S., is another grotto, a temple of Pasht, Bubastis, or Diana, the *Speos Artemidos* (date Thothmer 3d, 15th Century B. C.). The Speos is known by the name of *Stable Antar*. Near it are deposited cat mummies.

Right bank, at Shekh Abadeh, are a few remains of *Antinoe*, built by Adrian. The Principal streets may be traced, as well as the hippodrome, towards the east, outside of the walls. Grottoes in rock, &c.

This whole district has been famous for thieves from the time of Bruce to the present day.

Right bank. El'Rasheh, grotto in the mountain, with a statue represented on a sledge.

The ruins of Hermopolis at Ashmonnayn have been destroyed.

The Pasha's sugar factory at E'Roamoon merits a visit.

Left bank. Ibayda, at corner of mountain, crude brick walls, and some grottoes, not very remarkable.

After Shekh Said, the mountains go off to the eastward, leaving the river. A little

beyond is Til el Amama, to the S. of which are the ruins of an ancient town, of which only the brick houses remain. Wilkinson supposes this place to be Alabastron, but perhaps without sufficient reason.

To the south are grottoes in the mountain with curious sculpture, and upon the mountain is an alabaster quarry. The sculptures represent a King and Queen offering and praying to the sun, which shoots forth rays terminating in human hands, one of which gives the emblem of life to the King. Procession of soldiers, &c.

Six miles before Maufaloat, at el Hareib, are ruins of an old town in a ravine, in which are dog and cat mummies.

Near Maabdeh, opposite Maufaloat, are crocodile mummy pits, difficult of access and dangerous.

E'Siout, the capital of the Said, and standing on the site of Lycopolis, merits a visit. The gardens are celebrated. Visit the grottoes in the mountain, if it only be to enjoy the beautiful view, which is perhaps unequalled in Egypt. The mummies of the wolf are occasionally found.

The remains of the splendid temple of Antaopolis have been sapped and carried away by the stream. A few stones only serve to point out its site at Gau (right bank.)

Right bank. Shekh Eredi, where a Moslem Saint, transformed into the form of a serpent, still forms very wonderful cures upon those who can pay. Some small grottoes on the left bank. To the west of Loohag, near the corner of the mountain, are remains of Athribi. Inscription in stone, in ruined temple. Grottoes the mountain in.

To the west of this is the white monastery, Deir a bow Sehwoodee. It has very much the appearance of an Egyptian temple, having a cornice and tomb, and is supposed to have been founded by the Empress Helena. Like the other Deirs, it is inhabited by Christian peasants.

Rigth bank. At Ekhmin, nearly opposite Loohag, are remains of Panopolis. A large mass of stone, contains a greek inscription of the temple of Pan.

Left bank. Menshie, 8 miles beyond Ekhmin, remains of a stone quarry. Ptolemais Hermii.

Light bank. Abydos, il arabat el matfoon, three hours ride from Girgeh, and two hours from Bellianeh. Take donkies at Girgeh and send the boat on to Bellianeh. When last at Abydos, I was entertained for the night, at the "Deir" to the north or north-west of the village. The most remarkable monument is what Strabo has described as a "Memnonium," a very singular building, consisting of several parallel arches or arcades, leading, he says, to a tank, now concealed. The arches are *not* masonic, but cut out of large masses of stone, and it is this circumstance which has, in a great measure, given rise to the error, as to the arch not having existed previous to the Augustan era. The building was begun by Osirien, the father of Sesostris, and finished by his son.

To the north of the Memnonium, is the small temple of Osiris, built, or at least finished, by Rameses 2d, and remarkable for having had a sanctuary made of alabaster, and for containing the famous tablet of the kings, which, next to the Rasetta stone, has been of the greatest assistance to the students of hieroglyphics. The Necropolis has been robbed to form the collections of Salt, Drouetti and others.

Right bank. How, Diospolis parva—few remains—vestiges of a temple of late date, and about a mile and a half to the south, other mounds.

Left bank. Dendera (Tentyris) opposite Genneh. The principal temple was consecrated to Hathor, the Egyptian Venus, and not to Isis. The most interesting as well as most ancient sculptures are outside, at the western extremity, where we see Cleopatra and her son Casasion. The sculptures above are of the time of Augustus, as are those of the lateral walls of the Naos. The Pronaos presents the portraits and names of Caius, Claudius and Nero as well as Tiberius, by whom it was constructed. The Pylon, leading to the temple, is (or was) of the time of Domitian and Trajan. The Peripteral temple to the right, is the Typhonium, and immediately behind the great temple, is a small one consecrated to Isis. The Pylon towards the south, is connected with the latter, and was raised in the reign of Augustus. The walls of the town, and a second wall for the sacred edifices, may be traced, and there are, I believe, some tombs in the mountain behind the town, that have not been properly explored.

Right bank. Quoph, the ancient Coptas—ruins of town and temple—small Roman-Egyptian temple, in the village of El Qalah, towards the north forming once a part of Coptas. Qoos, Apolinopolis-parva. No more remains left, but a Monolith converted into a tank, and to the north of the town is a well.

Thebes, *Diospolis-magna*, on the East side, consisting of Karnak and Luxor: the *Lybian Suburb* on the West bank, consisting of Gormah, Medinet, Habor, &c. the tombs of the Kings and those of the Queens, &c.

Karnak. At least fifteen centuries combined to raise the great temple, the different ages of the various portions of the edifice being distinctly traceable, from the time of Osortiren 1st. (B. C. 1740) to the Ptolemies. On approaching the great west propylon, observe the holes (almost like windows, and by some described as such) for fixing the *flagmasts*, as well as the recesses below, in which they were planted. After looking at the great hall of columns, and the obelisks, &c., notice particularly the granite sanctuary, which is a restoration of one destroyed by the Persi-

ans. It was raised by Alexander, in compliance with a vow of Philip. On the *sandstone* wall that encloses and protects this sanctuary, observe (north wall) a very curious and rich offering, in which a Pharoah presents to the temple, obelisks, flag-masts, gold and silver, &c. The numbers are placed beneath the offerings. The sculptures deserve particular attention. Those on the outside of the southern wall relate to the conquests of Shishak, who plundered the temple of Jerusalem. The name of the place (Joudamallah) is legible on a cartouche,—one of thirty led captives before the gods of Thebes.

The whole north wall is covered with historical sculptures, all of which were originally painted, representing the conquests of Osirien, the father of Sesostris. Some little attention is required to see them well. One groupe is more curious than the rest: the king has caught his adversary with his bowstring and is decapitating him. Notice the triumphal return to Thebes, and remark the Nile (distinguished by crocodiles) with a bridge thrown across it.

To the south of the great temple is a *tank*, then come several immense propylaa, part of an avenue of Sphinxes, and lastly some remains of a considerable temple which was surrounded by a lake.

To the north are other remains with a handsome propylon of Ptolemaic date, and an avenue of Sphinxes.

The temple, second in importance at Karnak, is of the Pharoanic period, but approached by a pylon of Ptolemaic date, at the extremity of the great avenue of Sphinxes leading to Luxar. On the right of the first or hypœtheral court, notice a sculpture illustrating the manner in which the *flag masts* were raised before the temples. Adjoining this temple, and on its west side, is a small temple of Oph, in which travellers sometimes lodge.

From Karnak to Luxar, it is easy to trace the lines of Sphinxes, which connected the palace of the latter with the temples of the former.

Luxar, with the exception of the sanctuary, is entirely Pharoanic, having been founded by Amanoph 3d, in the 15th century B. C., and finished by Remeses 2d, in the 14th century B. C. The granite sanctuary, like that of Karnak, is a restoration, and of the same age. In one of the halls, approachable from the river side, observe a curious set of sculptures, relative to the birth of the founder of the palace. His mother, the queen, is seated on the stool of accouchement, surrounded by midwives and divine genii. The latter present him the emblem of life. A little further on, the infant is presented to and caressed by Amunre; and Thoth, the god of letters, is choosing for him his prenomen, "sun, lord of justice and of truth."

To see the interesting sculptures on the great propylon, it is necessary to visit the palace at an early hour. They relate to the conquests of Remeses 2d, but much attention is required to make out their details. In the midst of the fortified camp is a lion, the companion of Sesostris in war; but it is probable that you will not be able to distinguish it.

Lybian Suburb. To see the tombs of the kings, one night should be passed in the valley of Biban el Melook; but the entrance of one of the excavations affords sufficient accommodation. That of Belzoni is usually preferred.

Belzoni's tomb (that of Osirien, whose conquests are depicted on the north side of the great temple of Karnak) is the most magnificient; next to that, the tomb of Remeses 3d, is the most interesting. It is near an angle of the rock, and will be readily distinguished by the recesses on either side of the principal shaft. These little cabinets contain some exceedingly curious sculptures or paintings, and, it is from one of them that Bruce drew his harp scene.

The tombs of the Queens are in a separate valley to the west. *of Medeenet Habor.*

At Goorneh (old Goorneh) is the palace of Osirien 1st. In the Aposiet are some remains of a very ancient temple, of which a portion is cut in the rock—an arch (not masonic) very similar to those of Abydus. Between the Aposiet and the Memnonium are many tombs deserving attention.

The Memnonium (now perhaps more properly called the Remeseion, i. e. "Remeseseion" the "house of Remeses") is of the most uniform and elegant of Egyptian structures. Pay particular attention to all the battle scences, to the immense statue of Remeses 2nd, supposed to have weighed nearly a thousand tons, to the circumstance of the bases of the columns of the hypostyle being made seats—to a very remarkable sculpture at the west extremity of the hall—to the private apartments which follow—the Pharoah seated in the sacred Persia—the next apartment supposed to be the library—traces of gilding on the doorways, &c.

The Colossi in the Plain. Of these the northern one is the vocal statue of the ancients. It is of Amunoph 3d, the founder of Luxor, who reigned in the 15th century B C. Wilkinson discovered the means of deception: a stone which when struck, produces a sound similar to that described by Strabo and Pausanias, is still to be found in the lap. The other statue bears the same cartouches, and both are supposed by Wilkinson to have stood at the commencement of a dromio or avenue of Sphinxes running nearly twelve hundred feet towards an indistinct mass of buildings now called Kom el Hattan. Champallion and some architects, suppose that they stood before a propylon.

Medeenet Habor. A temple-palace, a private palace or Harem, and a temple. The Harem is very interesting, but partly destroyed. It consists principally of a pavillion in advance of the palace, and in it are some curious sculp-

tures, among which the king is represented playing chess with his ladies. A ladder is necessary.

The great temple-palace is ramarkable not only for its architecture, but for the sculptures representing the conquests of Remeses 3d, (about the 13*th century B. C.*) These are particularly remarkable in the hypœthral court, where there is exhibited in the northern side, a magnificient pageant, the coronation of the Pharaoh. The whole exterior of the northern side of building is covered with battle scenes. Among the heaps of hands poured out before the conqueror are *Lions' paws*. There are also heaps of Phalia.

The great lake, for the ceremonies of the dead (the hippodrome of the French savans) will be best distinguished from the top of the pavallion on Harem. There are several other remains, and tombs without number.

There is no trace, whatever, of a wall of circumvalation, though the crude brick enclosures of the temples, still remain.

The distance from Thebes to Kosseir is about one hundred and ten miles, which journey we performed in six marches. The road looks like a river of sand winding between bare rocky hills, which come down abruptly into it. The sand is intermixed with small stones, which make it hard and firm. A buggy may be driven the whole way. The trip may be performed on camels, donkies, or horses; but the two latter are not procurable either at Thebes or Kossier: of camels there are plenty. A small tent is requisite, and if the traveller has not a tent-pitcher, he must pitch it himself, as I did, for the Arabs know nothing about the matter. Water from the Nile is requisite, for that in the desert is bad, and at Kossier, worse.

At Kossier, English travellers go to the house of our Agent, who is a tolerably decent sort of a man, in his way, far superior to any of the others, both for honesty and civility: his father, at Genneh, is a sad old rogue. Bugalos are procurable either to Jambo or Jedda, and sometimes to Mocha; the Reis however, gives nothing but fire and water. The cabins of these boats are comfortable in one respect, they are free from vermin; some of them you can even stand upright in, and they sail well. At Jambo and Jedda excellent water is procurable, but one cannot calculate upon other supplies than rice, flour, and a few fowls. Passages, in good vessels, are always procurable at Jedda, from March to July, either to Bombay or Calcutta.

I have frequently been asked, if I found it very expensive coming from England to India by Egypt. Now, saying it is, or it is not so, is an distinct answer to the question, as ideas of expense vary; but, by telling the number of the party, how we travelled, what fare we had, what time was occupied in the trip, and the amount of pounds, shillings, and pence spent, a definite idea may be formed upon the subject. I shall therefore detail my expenses on the journey. As I had been travelling on the continent for a year before I came to Alexandria, I must commence from that place, merely premising that Government Steamers start from Falmouth the 3d of every month, for Malta, where another is ready to proceed immediately on to Egypt. The *whole* passage from Falmouth to Alexandria via Malta, will take about 20 or 22 days, and costs 40 £ each. From Malta to Alexandria it costs 10 £ and ¾ of the sum for a female servant.

Our party consisted of my wife, a child not a year old, a female servant, and myself. At Alexandria I hired two Arab servants, one, who understood next thing to nothing, for 6 dollars a month as cook, and as khansama; the other, who spoke a little Italian, and who was considered one of the choicest servants of Cairo, (but in truth a lazy rascal) for 25 dollars the trip to Jedda: both were fed by me, the Mussulmen there having no silly Indian ideas of caste, but eating after their masters without scruple, unless pork should be one of the dishes. I arrived at Alexandria without any thing except my clothes, and had, consequently, to supply myself with a few cooking utensils, plates, wine, beer, &c. from an English shop, of course, paying very dear for the same. Accounts are kept in piastres—40 paras=1 piastre, 20 piastres=1 Austrian dollar; 1 piastre is worth about 2½d. English, 1 dollar=4 shillings, 5 dollars=1 sovereign. For pots, pans, wine, &c at Alexandria, paid 1,552 piastres. Mr. Hume's bill for lodging and living for 9 days, 1,192 piastres, 12 paras.

Arrived at Alexandria on the 28th of May, 1836, and at Bombay on the 4th of September, being a period of 3 months and 7 days, during which time we spent 13,040 piastres, i. e. 520 dollars or 1,304 rupees and 1,000 more to get to Calcutta in all 2,304 rupees.

Boat-hire to Affé, 40 piastres.

Ditto from Affé to Cairo, 100 piastres.

Paid Mrs. Vasilkee for lodging and living at Cairo, for 12 days, 520 piastres.

Boat from Cairo to Thebes 670 piastres.

Hire of 10 camels from Thebes to Kossier, 340 piastres.

3 rugs for beds, 400 piastres.

Passage from Kossier to Jedda, 800 piastres.

Ditto from Jedda to Mocha, 1,050 piastres.

Ditto from Mocha to Bombay, including living, 2,000 piastres.

Expenses throughout Egypt, of servants, food, washing, &c. also supplies on ship board, till we came to Mocha, 4,375 piastres, 28 paras.

Living and expenses at Bombay for a fortnight, 300 rupees.

Passage to Calcutta, 700 rupees. In calculating expenses, it must be recollected, that the hire of the cabins of boats and bugalos, is the same for one person as for half a dozen.

At Cairo we lodged at Mrs. Vasilikee's and had we done so at the hotel, our expenses would have been more than doubled. Here people ought to provide biscuit and either barrels or skins for water, to cross the desert with: I prefer the former, as they are cleaner and do

not give the water a bad taste. Ten camels carried ourselves and baggage across the desert from Thebes to Kosseir, each person riding on one, upon a sort of rude charpaee, with the sides raised a little to prevent one's falling out, and in which we had to sleep on the march, nicely jolted, as the heat of the weather obliged us to travel at night. We staid three days at Kossen, and on our passage to Jedda, touched at Jambo. At Jedda we were detained twenty-four miserable days, living on the top of our Agent Malloom Yoosuff's house, in two little apartments that were more like ovens than any thing else. I would advise travellers to hire a house for themselves, if possible; where they will be infinitely more comfortable, live more in their own way, and, not spend more than with Malloom Yoosuff, though they are his guests. I went in a Soorat brig, with 150 pilgrims, from Jedda to Mocha: it was one continued scene of praying, and the leader of the band, a complete dandy, totally absorbed in his pronunciation of the namaz and intonation of voice. From Mocha to Bombay we proceeded in an English vessel.

We travelled under every disadvantage, and with every discomfort, from the circumstance of having been so long absent from England, previous to going to Alexandria; but I believe the trip may be made by those starting direct from England to India, and vice versa, with perfect ease and comfort. If travellers arrive at Alexandria or Jedda, as the case may be, with supplies, wine, beer, tea, sugar, cooking utensils, &c. *sufficient for the* WHOLE *of their sojourn in Egypt*, however long it may be, and have a small tent, I cannot imagine how they can be otherwise than perfectly comfortable. Coarse bread, in the shape of flattened rolls, may be had at every village, also vegetables, fowls, and coarse

Fruit, too, occasionally; melons, figs fine water-melons and grapes, which are abundant, though not of high flavour. Besides these, in Arabia, excellent pomegranates and some poor peaches. All these were ripe at the time we went through the country. To one thing I would particularly call the attention of travellers, as the point seems not to have been alluded to by any one that I am aware of. On the banks of the Nile there are but few places where donkies are procurable for hire, and even those, are wretched animals; and the curious traveller will desire to land frequently and make little excursions, which, if performed on foot, will so tire him as to render him incapable of fully enjoying and appreciating the different curiosities and places worth nothing in his route; I would therefore strongly recommend his purchasing at Cairo, and carrying in a boat with him, a good donkey and saddle; the same advice I would offer to the voyager coming from India; he can procure his donkey or horse at Jedda and carry it on with him to Kosseir. For my own part, I would never think of travelling in Egypt without either a horse or donkey.

Having heard so much of Muhammed Ali Pasha's Government, I was curious to behold the spectacle of a nation suddenly emerging from barbarism to civilzation. Great was my disappointment to find all these beautiful tales utterly untrue. In the first place, the population is decreasing. None but the aged, infirm, women, and more children are to be seen in the villages, all the grown up males are taken to serve in the wars and their expenditure has been great. With the diminution of laborers, of course, the cultivation is decreasing, and the laborers are miserably thin. I saw numbers stark naked pulling up water in skins and pouring it from stage to stage till it was conveyed to the top of the bank for the irrigation of the fields. The apparent improved state of commerce in Egyp, is a forced state of things which cannot last long. Every article that is saleable, the Pasha seizes at his own price; cotton, sugar, rice, grain and cloth, and he has just commenced doing the same with half of the coffee brought to Mocha: this passion for being general merchant is the cause of the present war in Arabia. He has a large but useless navy, and when I mention that a great part of his sailors are annually sent up the country to cultivate the fields during part of the year, it spares me the necessity of any further detail upon this subject. A few schools there are, but the children are forced to attend them and are only taught a little arithmetic and writing to be servants to the Pasha. Illustrative of this, let me relate an anecdote. In returning to Luxor from visiting the ruins of Thebes on the west side of the Nile, I found that none of the donkey *boys* were returning across the river with me, their places being supplied by *girls*. I asked the reason of the change, when their parents told me that an order had just gone forth from the Government, for seizing some scholars, and therefore they were afraid of trusting their boys on the Luxor side, where the Governor resided, but had no fear for the girls, as his highness, I presume, did not think it worth his while educating the weaker sex: so much for his schools.

His new levies I saw not once but frequently in chains, and with their hands fastened between two pieces of wood, being led to Head Quarters, to be enrolled as soldiers. The first batch I saw was in riding out to Shoobra, the Pasha's gardens, near Cairo, with our consul, Mr. Piozin; their extreme youth struck me, and drew from me some observations regarding these supposed felons, when the consul told me they were recruits!!! and that such was the usual way of marching them to the depôts. Their liking for the service may be imagined when I add, that numbers of the people want an eye, a joint of the fore-finger, or a side tooth, thus rendering themselves unable to take aim, pull a trigger, or bite off the end of a cartridge, in hopes to avoid serving in the army; but even this does not now avail them, as the Pasha says, though they cannot fight, they can work and carry loads, and compels them to labor on his ac-

count, besides threatening such offenders with the most severe punishment.

When in India, I was surprised to learn, that there were so few English in the service of Muhammed Allee; but a few enquiries explained to me the cause of this. The troops at Cairo and in lower Egypt are badly paid and generally from 12 to 16 months in arrears, indeed, were it not for their rations, they would starve, and though the Pasha protects all Christians, he does not trust them fully. Mr. Galloway, the Engineer, is, I believe, the only Englishman now with him, and he is employed on a specific service. A great number of his foreign officers and employers are people without education, and to whom it is a sort of rise, being in his service; the few of education are political refugees, who only stay because they cannot help it, and they are disgusted with the state of affairs. The Pasha gives them all Musslemen names, by which he addresses them. He has made three different campaigns against the Arabs, all unsuccessful as to their results. The country is rugged, poor, and the people brave. His troops conquered in the plains, but in the hills could do nothing, they were driven back every time, and, once, after gaining every little affair, and reaching the heart of the country, through starvation were obliged to capitulate, giving up arms, horses, clothes and every thing they possessed, in order to escape with their lives. All are utterly disgusted and tired with these wars, particularly the officers, as they are invariably picked off by the Arabs who say, they are the heads, but, for the poor soldiers, they must, obey orders and do not know better. The troops in Arabia being in the field, are pretty regularly paid by way of encouragement, and to prevent desertion. His object in trying to conquer these Arabs, is partly to get them as soldiers, and partly because their country is the key to the coffee plantations beyond them.

There are several regiments of African blacks from Koordafan and Sennaar at Jedda, which I went to see, and the following is a true and faithful description of the mode of their seizure in their own country, and their condition in Arabia. The Pasha sends troops who surround and set fire to the villages, and all the males who rush out must either submit or be killed. When collected, they are marched down from their own country, which is hilly and moist, through the plains to the coast, a climate hot and dry, very different from their own, and there, afflicted as they are with sore feet from their marching, drill is commenced and carried on for a short time, till they can be conveniently shipped off for Jedda and Mocha. When they arrive at these places, most of them fall sick immediately; fever, fever, diseases of the chest, inveterate ulcers, attack them and carry them off rapidly and in great numbers. I visited the hospitals of these men at Jedda, which were admirably kept by an Italian doctor, Signor Carolini. Out of four thousand brought there six months before, twelve hundred had already perished; six hundred I saw in hospital, and of the remainder the doctor said, that most likely not a hundred would be in existence in two years more; oppressed by physical and moral disease, they do not even try to recover. In fact, what have they to live for, having seen their wives and families murdered or carried into slavery, and knowing that the only object of their existence, is to fight for a person they care nothing about, the Pasha. As for his native Generals, Colonels, and high officials, they, to a man, would prefer handing pipes and coffee to his highnes, as in their former happy and tranquil days. The dignity is forced upon them, something after this manner. Muhammed Allee says to one of his Memlooks or white slaves, I am highly satisfied with you my friend—I'll make you a General, here is the order for you to join the troops at Jedda, and as a further mark of my regard, I give you a wife out of my harem. Neither dignity nor lady can be refused, however disagreeable the gifts may be. The lady wife is obliged to remain at Cairo, and her spouse, as a commencement, must get about three years salary in debt to furnish his bride with a house, and establishment becoming one upon whom the Pasha had smiled. These are of course complete mistresses in there own house, and the hen-pecked husband afraid to exercise his due authority.

The Pasha's political situation seems imperfectly known, at least it is very different from any opinion I had formed of it from reading. Even now he is little better than a tenant at will, or, at most, but a life renter of Egypt. His firman from the Porte is read annually in the great hall at Cairo, and he still sends tribute to Constantinople. True, the European powers do not allow the Sultan to molest the Pasha, nor the Pasha to attack the Sultan; but, at the same time, they will not guarantee the succession to Muhumud Allee's son. There appear but two ways of acting in this case, either to let the Pasha be real King of Egypt, if he can hold it by his own strength; or, suffer the Porte to rule its own province, and nominate its Lieutenant after its own good pleasure and fashion, if it have the power to enforce its orders. We might complain if either the Porte or Pasha prevented our vessels from entering their harbours, or ruined our trade by vexatious and exorbitant duties; but so long as they give us the same previleges on these heads, that they give to all other nations, we can have no reason to complain; but, by the present policy, we do all in our power to prevent the Pasha's taking an interest in the welfare of Egypt, by reducing him to the condition of a mere farmer of its revenues, whose object consequently can only be to make the most of a lease which he may be deprived of whenever it may please his superior authority. The old man must, in the course of nature, be soon gathered to his fathers, when we shall see what will become of Egypt. His son is not likely to hold the power, being disliked for his cruelty, and not having the talent of his father. Much is talked of Egypt being the

high road to India, and its vicinity to our eastern possessions; all which I regard not, as let it be in whose hands it may, our fleet in the Mediterranean, and a few ships in the Red Sea, and Straits of Babel Mandel, will always enable us to dictate to Egypt, or ruin it. The French have Algiers, the Russians lord it in the Black Sea, and at Constantinople,—are paramount in Persia, and we ought either to have Egypt for ourselves, or let it fairly be under its own ruler. If it gets into the hands of the Russians we shall soon discover, that these Christians hate us worse than any Turks can do. We were cajoled into aiding them in the destruction of the Turkish fleet at Navarino, a true account of which, by the way, can only be had up the Mediterranean, where it is currently reported, that the Russian admiral, after the action, turned round to a friend and exclaimed, "when shall we have a slap at these English!" Let the story be true, or made for the occasion, the saying attributed to the Russian, is at all events true to the feeling of his Government towards us. Let us fight for it, rather than see Egypt in such hands, or indeed in the hands of any of the European powers. We have already been bullied and insulted enough by the Autocrat. The invasion of India too, has been dinned into our ears *usque ad nauseam*; but of that I have no dread: there are plenty of willing hearts and hands to repel it, and we have the means too.

Muhumud Allee merely obtained and retained his power by being the only person awake in his kingdom. He never commits what he considers useless cruelties, though it is observed, that people who stand in his way are not long lived. In religion, he is, I believe, a latitudinarian; he does not consider it necessary to follow the principles of his faith, in the matter of strong liquors, nor, indeed, do any of his subjects, as, whenever they can get it, they drink most furiously; in fact travellers, will find pint bottles of brandy and wine most acceptable presents, also beer for the scrupulous; there can hardly be a better circulating medium for Egypt. The old gentleman made rather a witty speech to some of his genial companions, telling them he wished they would "only drink like Christians." He limits himself to four or five bottles of the best French claret daily. Though with one foot in the grave he has immense harems, and, old as he is, the most agreeable present that can be made to him, is a handsome female slave. His daughter, aware of his weakness on this head, frequently gratifies her father by gifts of the kind.

I must say a few words about the extent, to which the slave trade is carried on in the Red Sea. I saw a good deal of it at Jedda. During the twenty-four days I was there, nearly six hundred of these unfortunate beings were landed from Koordamun, Sennaar and Abyssinia. I went to the place, a sort of serale, where about one hundred had just been brought for sale, and remained on the spot two hours, noting attentively all that was going on. Great numbers of these unfortunates were females from the age of eight to twenty. It was a melancholy scene indeed. The following is the way in which purchasers generally examined the slave male and female. They were made to stand up, put their heels close together, raise up their arms, the cloth from the upper part of their bodies was taken off, their condition looked at, their sides, sometimes felt, their tongues examined, pulse felt, and made to turn and move about. These slaves are all stolen, kidnapped from their homes, and in their seizure, scenes of the most horrible cruelty constantly occur. Slavery is in greater activity in Egypt than in any other part of the world. The miseries and crimes resulting from this nefarious traffick, are almost inconceivable.

In speaking of Cairo, I omitted to mention, that there is a children's school of about ninety girls and one hundred and fifty boys, established by Leeder, a German missionary. These are all, with very few exceptions, Copts who, although Christians, have nearly all the prejudices of Mussulmen with regard to their females, not permitting them to appear in public or before men. There is only on Mussulmance among the girls. Mr. Leeder, at first, found great difficulty in inducing the Copts to send their daughters for instruction, a difficulty which was however overcome, by his great and persevering kindness to all classes, his being their physician gratis, by the high esteem in which he was held, as a good man who was doing all for religion's sake, and, above all, preaching nothing that he did not practise. He is now regarded almost in the light of a parent by them, and has free access to their families and houses; but he still gives way to their notions of female delicacy so far, as not to permit of any gentlemen, except clergymen, to whom the parents do not object, visiting the female school. My wife visited it and was much gratified by all she saw. I think a greater number of missionaries in Egypt would do good. The people there are not bigotted; and though it could not, for a long time at least, be expected that many, if any of them, would become Christians, still the practice and example amongst them of Christianity, would be beneficial in preparing them for a change.

I shall conclude by a necessary piece of advice to travellers: wear arms, and beware of our wukkeels, who are fond of styling themselves consuls: those at Gonneh, Kosseir and Jedda seem to have been carefully selected for their utter ignorance of all languages excepting Arabic, and two or three words of Hindoostanee, not enough to explain what bread and water mean. There is perhaps no danger of attack, but the appearance of arms often suppresses insolence, and always gives one a feeling of security. Our consul at Cairo, Mr. Piozin, will be found by every one most kind and attentive, and Dr. White and Mr. Leeder will give more information about Egypt than any other persons can do.—*Hurkaru.*

G. R. C.

River Ganges, 5th Feb. 1837.

A VISIT TO CHINA.

PART 1ST

Some men are apt to imagine that a trip to Canton and the outlay of a few hundred dollars, in China street, give them a right, if not a qualification, to dogmatize, on questions of the highest moment or greatest difficulty, in the history, morals and statistics of that country. This error the writer of the few brief and unpretending memoranda which follow, may venture to affirm that he has escaped. He is quite sensible, indeed, that he knows little more of the celestial empire now than before he ever trod that sacred soil, but his visit has set him thinking on the subject of China, and if a record of what he observed, as far as memory can recal it, and of the impressions produced on his mind by what he saw and heard, should have a similar effect on others, then he will have written not wholly in vain.

A voyage to China occupies generally about a month, in the south-west monsoon, and as the vessels engaged in the trade seldom make any stay at the interesting settlement of Singapore, the traveller, weary of the confinement of a ship, is very liable to hail as a paradise, the first port he beholds in the Chinese Empire. Perhaps to this cause may be ascribed, some rather exaggerated descriptions of Macao; but I cannot admit any such set off against my impressions. The view, indeed, from the anchorage, of the lofty hills, the bay, and the offing studded with innumerable islets "with verdure clad", and countless boats sailing among them, has in it much that borders on the sublime, and more of that which belongs to the beautiful; but the effect of these features of the landscape is diminished by the circumstance of their being, to a considerable extent, a repetition of what you have already seen. They do not burst upon you like a scene which the rising sun suddenly brings out before you from utter darkness, for have you not made the bold coast farther out and sailed through the Ladrones, the lofty islands renowned in history as the residence, or haunt of powerful pirates, who once defied not only the Chinese navy, but the naval force of their allies the Portuguese? Then for the minuter features, the details of the landscape of Macao, the anchorage is too distant to admit of your seeing them to advantage; and from the position of our vessel we could not command a complete view of the Bay, while the naked patches on the various hills immediately near the town indicating the sterility of the land, and the apparent insignificance of the place, produced on my mind an impression unfavorable to it, an impression which I afterwards discovered to be, like many other first impressions—unjust.

As we rowed in towards the land, however, on a lovely May morning, the whole scene became animated and beautiful. The bay terminating at each end of the crescent in a bold promontory, surmounted—one by the Fort over which flies the flag of Donna Maria, the other by a convent the *Penn*, not immediately over, but on a loftier hill further inland, the blue ocean studded with innumerable characteristic boats of every kind, with their mat sails, from the Junk down to the neat little *Tanka* (egg)-rowing boat—then the town with its churches, forts, joss houses, joss-poles, dwelling houses of various hues from Parian-white to orange-tawny, with their tiled roofs and the green foliage of the trees rising beside or peeping above them; then the view of the anchorage called the Typa, opposite the town, the entrance of the inner harbour, with the mountains in the back-ground—altogether the near view of the Bay and town of Macao, and the scenery around, is one of the most picturesque I ever have seen in the East, and although circumstances will ever connect it in my mind with a mournful reminiscence, I could not be insensible to its beauties. The scene—coincidence of season perhaps aiding, to suggest the idea—reminded me of Leigh Hunt's description (in Rimini) of a may morning in Italy, which *exceptis excipiendis*, indeed, is not inapplicable.

> The sun is up, and 'tis a morn of May,
> Round old Ravenna's clear shewn towers and bay,
> A morn the loveliest which the year has seen
> Last of the spring, yet fresh with all its green,
> For a warm eve and gentle rains at night
> Have left a sparkling welcome for the light
> And there's a crystal clearness all about;
> The leaves are sharp, the distant hills look out,
> A balmy briskness comes upon the breeze,
> The smoke goes dancing from the Cottage trees;
> And when you listen you may hear a roll
> Of bubbling springs about the grassier soil
> And all the scene, in short—sky earth and sea,
> Breathes like a bright-eyed face that laughs out openly.

Much, though not at all, of the above stanza, is applicable to a lovely May morning at Macao, and the closing lines of the succeeding stanza, may well be often realized there and are worthy of quotation for their surpassing beauty, and especially for the daring originality of that exquisite and emphatic verb in the last line,—"swirl."

> And the far ships, lifting their sails of white,
> Like joyful hands, come on with scatter'd light.
> Come gleaming up, true to the wish'd for day,
> And chase the whistling brine, and swirl into the bay.

The bay, indeed, though its coast is not graced with Ravennas' towers, nor other objects

which strike the link in the chain of classical association, is, as I have said, beautiful, and not wholly unworthy of the application of the lines I have quoted; since it has been compared by those who have seen both, to the Bay of Naples—*Parva componere magnis;* for of course the Bay of Naples is infinitely larger and possesses therefore, a grandeur to which that of Macao cannot aspire.

In the town itself there is much which reminds the traveller, of the South of Europe—in the houses for example, and in some terraced gardens, pretty in themselves and still more to be admired or venerated, for certain associations they suggest. There are not many lions in Macao—the greatest is the large temple or Joss house, situated on the face of the hill sloping down to the point which forms the entrance of the inner harbour. This temple is one of the finest specimens of Chinese architecture to be seen perhaps, in the whole empire; though I confess I do not admire their style, with which every one who has inspected one of their lacquered-ware tea boards even, must be in some degree familiar, although to describe it is difficult. Over the great entry is as usual a junk in green porcelain. There is an inscription over the architrave in gold characters, and one in vermillion on each of the lintels which are of granite. The temple is built in a recess of the hill, among and partly upon, huge blocks of primeval granite (which abounds here and in the whole province of Canton) and the granite steps which lead to the upper compartments of the temple are let into these rocks. On a large block which rises perpendicularly at the back of the temple, is painted a junk, *proper*, as heraldry would call it. Among these blocks of granite, and within the enclosure of the building, are some noble and venerable trees which may be of coeval antiquity with the granite, and whose exquisite foliage gracefully overshadows the temple. The temples cut in ivory give the best idea of these structures, the scites of which, like those of the Hindu pagodas, indicate in those who selected them, an admirable taste in the picturesque. A remarkable feature of this building and of many similar temples, is the circular windows. The granite screen of the enclosure is also very beautiful, but those who would form an adequate idea of the beauties of this temple without seeing it, should endeavour to get a look at one of Chinnery's exquisite drawings of it. Mr. Gutzlaff was kind enough to translate some of the inscriptions for me, but I have mislaid these translations. The temple is dedicated, I believe, to the Queen of Heaven, (though who that lady may be, I am not exactly aware,) and most of the inscriptions are moral precepts. The Chinese indeed are the most moral people in the world if you will only judge them by what they say, and not by what they do. The images of the temple differ in nothing, I believe, from those of Buddhist temples in general; there is a great deal of carved work in the buildings and still more of glittering gold (*clara micante auro*) and bright vermillion and green.

The only literary lion or relic of Macao, is a cave called the cave of Camoens, which an accident of no consequence to the reader prevented my seeing; but I have heard it often described, and the description leads me to doubt the tradition that he composed his noble poem of the Lusiad therein; for there was no reason why he should have placed himself under the disadvantage of being thus "cabined, cribbed and confined" when he might have had all the benefit of retirement and,

sat on rocks, to muse on flood and fell,

without the inconvenience of such a locality. That he composed the Lusiad at Macao is beyond dispute. He had been banished thither from Goa—for what does the reader think?—for producing what was (perhaps on Lord Ellenborough's principle) pronounced a libel on the Indian Government. So early in the history of European connection with India, did the war between the dullness of despotism and the genius of freedom commence. Camoens was afterwards shipwrecked on the coast of Cochin China and saved his life by swimming, holding the manuscript of the Lusiad in one hand above his head. What an escape for both! Even in that terrible extremity he thought of his posthumous fame, and that if he could preserve this precious production of his muse, he should not wholly die:

Non omnis moriar, pars mei vitabit.

He did save that and his life too, and although three centuries nearly, have elapsed since his mortal decay, the fame of his great work still lives and will live till time shall perish in the wreck of matter and the crash of worlds. Camoens was a man of great genius and strong passions like Dante, Petrarch, Tasso, and the great Italian of our own day, the ardent and eccentric Alfieri. The Lusitanian temperament, indeed, differs little from that of Italy, and genius is no safeguard against the weaknesses of our nature and the misfortunes which those entail on us.

But my soul wanders—I demand it back.

There is a living lion at Macao who may well claim a place in the ranks of genius; George Chinnery. Some writer in the *Chinese Repository*, once somewhat affectedly called him an "Hogarthian humorist." That his conversation abounds in lively sallies, and that he is one of the best *raconteurs* you may meet with in seven years travel, are true; but I should not call him a humourist exactly. He is a very pleasant companion, however, deeply imbued with the love of his art and better versed in its principles than many who stand high in the lists of fame at home. Chinnery is by

profession a portrait painter, but look at some of his exquisite landscapes in oil and water colours, and you would be inclined to say, "no! there is his *forte*." Turn again to his portraits, and you are ready to exclaim,—"no, he is at home here"—the "human face divine," is his proper study. The truth is, he has not stuck himself in a corner and contemplated his art in one point of view, but studied it with the comprehensive mind of a man of genius. Hazlitt has said that poetry is the stuff of which life is made. (I don't profess to give his exact words). Painting is the stuff of Chinnery's life; for he lives by it, but he lives for it and on it, and would die without it; his thoughts, his conversation, his dreams, are redolent of art? it is the vital principle of his existence. What a situation is China for such a man,—China, where the stuff, or to use a phraseology more suitable to the place, the great staples of all thought and conversation are, "Opium"—"*the* drug' and Cotton? Of course no one cares about art—and as for a Painter, why unless he would paint beams and joists and chilmills or the sides of the goods ship Nancy, he is voted a cipher on the wrong side of the sum of society. I actually heard that a dashing Captain of an Indiamen, who prided himself on his taste and was desirous, that his ship should eclipse all others in her decorations, thought of applying to Chinnery to paint some of the lions and other monstrosities with which he proposed to decorate his boom boards, &c.!!! I can fancy the Artist's indignant answer. It has been the fashion of late to underrate Chinnery, but at least he never has had any one in the east to come near him. Age has not tamed the vigour of his touch, and his later pictures exhibit unequivocal evidences of the inevitable improvements which result from deep study and continued practice of the Art. There is much more of intellectuality in Chinnery's later pictures, and you could fancy some of his portraits speaking to you. As for his landscapes, of which he has painted many from nature in China, they are in drawing and colouring exquisitely correct and beautiful. I did not know until lately, that he was in the habit of making drawings in water colors; but it is the case, and I have never seen any that equal some of those he has produced. He seems to have some mode of blending his tints quite peculiar, for I have never seen any thing more beautiful than the unity of effect he produces in this respect. His colors do indeed blend like those of the rainbow. His great delight is to paint women and children, and I confess that in my humble judgment his success amply justifies his predilection, though I have heard that point disputed. But enough of Chinnery; he is coming round here, I believe, and will, I hope, live to furnish in this place many more proofs of his genius. Of course in what I have said of the state of Society in China as to the arts, I did not mean to infer that there were no bright exceptions to my rule; but there are very, very few.

And as to one individual who resides at Macao, a passing tribute to his merit, may be excused as he is at once a public character and a public benefactor, I allude to Dr. Colledge. This gentleman is attached to His Majesty's establishment at Macao. As a professional man his talents are of the highest order; and they are rendered gratuitously available to every stranger who applies for them, with all the attention and tenderness which the highest remuneration could properly secure. But Dr. Colledge will not receive remuneration though he will readily devote his skill and his time, break his rest and risk his life in affording relief to suffering humanity. He has resided about ten years in China, having been attached to the Company's Establishment, and during that period he has restored above 4,000 Chinese to sight. As a member of society, he is beloved by all who have the happiness to enjoy his acquaintance. And now then adieu to Macao.

The Missionary Gutzlaff is also worthy of honorable mention. He is a man of extraordinary talent and of indomitable zeal, enterprize and perseverance; but his volume on China has made him known to all who interest themselves about that country. I must confess, that in my opinion, he in his voyages to the east coast manifested more zeal than judgment. Scattering tracts by thousands among an ignorant multitude is not a very likely way to propagate a religion. Missionaries are very apt to mistake the eagerness to receive those tracts and gospels gratuitously for a symptom of regeneration; but it is a symptom of nothing but curiosity. Gutzlaff is already master of about 16 languages! and when I left China had nearly mastered the Japanese in addition!

In architecture there is little in Macao to attract attention unless it be the skeleton front of the Jesuits college, the foundation stone of which was laid about almost a century ago. The building, which was consumed in the great fire of 1834, was, it is said, a very handsome pile partly lighted by an elegant cupola. All that remains is the principal front, the great entrance, with nothing behind it, and the noble flight of steps leading up to it. The proportions of this front composed of the Doric and Ionic orders, are exceedingly graceful, and if the pile corresponded with it, the whole temple must have reflected honour on the taste of the architect and been a great ornament to Macao. A terraced garden, which is or rather was attached to the building, commands a view of part of the inner harbour, the Typa, and many of the islands in the offing.

The most complete view of Macao is obtained from a fort called the *Monte*, a hill which rises from the centre of the place. From this position you perceive the whole town spread out below you, occupying a peninsular which divides the inner harbour from

the Bay of Macao. The length of this peninsular is about 2½ miles* by about one in breadth in the broadest part. From the point of view described, the town appears to lie in a valley below you, whereas in truth it is an illustration of the ups and downs of life, for the process of traversing Macao, is that of continually walking up and down hill. The streets are narrow and irregularly flagged with granite.

The principle walk is the Praya Grande, which is smoothly flagged with large square stones, and extends along nearly half of the margin of the bay. The present governor has extended this pleasant evening promenade round eastward to the Fort at the entrance of the Bay and would have carried it much further but that the Chinese government interfered and would not allow the coolies to work at it. The reason assigned was that the governor was making a road to facilitate the landing of the English? They can land on the *Praya* if ever they should be disposed with great facility. The fact is the Portuguese are mere tenants—not exactly at will, for the Chinese would never have the courage to drive them out, but they dare not provoke the Chinese. There is in spite of the prohibition a pleasant walk, some scrambling over rocks excepted, round the Fort and the hill beyond it back into the town again, by an open space the slope of a hill called the Campo, and in short you may vary your walk every evening and enjoy from some eminence or other, pure air and a pleasant prospect; but the *Praya* is the grand resort and on moonlight nights the Portuguese families and especially all the *beaux* and *belles*, promenade till a late hour and afterwards take *al fresco* suppers on the green at the east end of the town—or sit there on chairs which they bring out for the purpose of listening to the Governor's band, or the Commander-in-chief's,† I know not which it is. By the way that same band plays some of Rossini's music very skilfully. They owe this advantage in a great degree, if not entirely, I believe, to Planel and the Italian Company.

The Portuguese and the English do not associate much together; so that I can only describe the society constituted by the matter. Of course the number of English residents is very limited; consisting of His Majesty's superintendents and their families, the ladies of merchants in Canton, and one or two resident Merchants. A pleasanter or more hospitable society I have never met with. Great cordiality seems to prevail among the ladies, and as for the gentlemen, there are some most intelligent men among them, and those who come down from Canton are buoyant as school boys come home for the holidays. Some of them at least seem to leave care and business behind them and try to enjoy themselves and to make the strangers as happy as themselves. The ladies of course take the lead in doing the agreeable. It was my misfortune not to be in Macao, at the gay season; but I have had many descriptions of it. Fancy balls and masquerades, and musical parties, are then the order of the day or rather night, and in the getting up and conducting of these entertainments, I am told, that great taste and liberality are displayed. The society is indeed small; but although there may be comprized in it, a few gossips male and female, chiefly the former; yet of the petty rivalry and malignity that so often pervail in such limited circles, I believe there is none in Macao. I made acquaintances there with some for whom I shall ever cherish the highest esteem and the warmest regard; and if it would not be an unpardonable breach of decorum, I would name some who are an honour to human nature; one lady in particular, ever foremost in acts of benevolence, ever ready to pour into the hearts of the afflicted, the balm of genuine sympathy—one of those who really

> Do good by stealth and blush to find it fame;

but I must not trespass on the sanctity of that diffidence and retirement I am so much bound to respect.

The climate of Macao, although it is very warm in the months of June, July and Aug., during the *day*, is on the whole exceedingly fine; the atmosphere is free from humidity and the nights are cool. The houses, though less substantially built than those of Calcutta, are many of them spacious and commodious, and the rents are moderate: for 50 dollars a month you get a capital house.

Of the communication between that place and Canton, the society there, &c. I may treat hereafter.

PART 2ND.

Another *last* word about Macao, and then I bid farewell to it. There was an excellent Family Hotel there, with a most benevolent-featured old Chinese comprador, the very best, perhaps, of his class, in China. The hotel and also a tavern belong to Messrs. Marquick and Co., who also owned most of the packet boats; but a new hotel was about to be opened by Messrs. Stamford and Marks, who had already established one in Canton, which was well spoken of, by those who had tried it, and to that firm the packet boats, varying in size from about 6 to about 35 tons, which is the burthen of the largest, now belong. The distance between the places is 70 or 80 miles, and it is performed in from 12 or 15 to 30 and 40 hours, according to circumstances. Formerly foreigners were only permitted to go to and fro

* The writer begs to be understood as not pretending to accuracy of even *detail*. These slight sketches are made from memory as they occur to him, and if they convey a general idea of the place and serve in any degree to amuse, his object is accomplished. He has made no notes for a book, not being a traveller by profession.

† The Portuguese military force amounts to about 200 men.

between Canton and Macao by the inner passage in *native boats*, at the very enormous charge of 2 or 300 dollars, I think, owing to the sum exacted for the pass or *chop*. The English packets carry you for ten dollars. The running of these boats was, however, an innovation on the immutable laws of the celestial empire. Such a daring proceeding was prohibited,—*on paper*, the prohibition set at defiance and the innovation winked at as usual.

As I refer all those who seek accurate details of positions, distances, &c. to the works of authors by profession "who seek the bubble reputation, even in the *critic's* mouth," in portly quartos or goodly octavos, I shall not detain you with any particular account of the passage from Macao to Canton, though I may remark *en passant*, that seeing that some part of it is performed in the "*outer seas*," *i. e.* outside the coast, with merely the shelter of the detached islands in the offing, you occasionally encounter on the said passage, certain "peltings of the pitiless storm," which in such a situation are not very agreeable and not wholly free from danger. It was my *good* fortune to be out one whole night between the anchorage of *Cum Sing Moon* and Macao, a distance of only 12 or 14 miles, in a certain boat called the *George*, of the burthen of six tons, and I know not how many 94ths, or thereabouts, cutter rigged, with a scroll head, &c., as the Registers have it. When we got out of the harbour we had the breeze right in our teeth; the rain came down in torrents, a chopping sea got up, and the little craft was performing a perpetual *kow tow* to old Neptune—an honour which his godship acknowledged by dashing the ocean foam over her, as if she were native to the element; as in certain poetical descriptions of launches by the penny a liners, ships are sometimes described to be,—("she dashed into her *native* element, &c.") in plain terms, our boat was pitching bows under water. Night came on and a huge black cloud rose on the verge of the horizon, not arched nor horizontal, but perpendicular like a great wall of jet. The rain which had intermitted, came down again in a fresh shower, and then we had thunder and lightening, and the breeze freshening, I gently hinted to the Syrang, that there was no harm in lowering the peak in time. We were running along some five or six knots, still dark as Erebus, when a lascar sung out, "rocks a head!" the alarm was false; but the Syrang said he could not see where he was going, and running among islands with narrow channels in a dark night, the compass is no sufficient guide, and so we endeavoured to get near an island by guess, and let go the anchor: and then I went to bed and slept; albeit not without rocking, for the craft took to a rolling fit till I verily thought she'd roll the masts out of her; but the worst inconvenience was, that having no skylight and the hatch being on, on account of heavy rain, we had a regular steam bath. The larger boats are, however, very comfortable.

Cum Sing Moon, is the anchorage of the opium depôt vessels, during the S. W. monsoon. It is a spacious harbour, formed partly by islands and partly by the main land, with a narrow entrance, having an island in the centre of it. Both the islands and the main are lofty and the ships so well sheltered, that, in general, they ride out even the typhoons against which no anchorage would seem perfectly secure.

The animated scene witnessed at Cum Sing Moon, may well arrest our attention a while. Of the numerous vessels of various sizes in the anchorage, several are depôt vessels, chiefly for opium. These do not move for years, except from one anchorage to the other at the change of each season. From day light to sunset, you see alongside of these vessels, the smuggling boats which carry away the opium. These boats are in length I should think from 50 or 60 to 80 or 90 feet, pulling from thirty to forty oars, and decked or hatched over: with their long masts, large mat sails, and the conical bamboo caps of the rowers, painted red, white and blue, they are altogether very picturesque, and you behold them in every variety of situation in this busy scene. There are always one or two along side the depôt vessels, others approaching for opium, foaming along under sail as if they would dash their stems against the vessel, but suddenly sheered alongside with a skill and dexterity which are truly admirable—others shoving off with their precious freight, and hoisting their sails—others already pulling and sailing away for Canton at a rapid rate, with their cargoes, in defiance of the celestial Emperor and the Mandarins. The whole scene is one of busy life, indeed; for while the depôt vessels are supplying the smuggling boats, the clippers and other vessels importing *the drug*, are supplying them, and launches, cutters and even jolly boats are engaged in the work of transhipment of opium and cotton, which last article is often unloaded here from vessels of comparatively small burthen, and sent up in large ships, collecting in this way a full freight and enabled thus to pay the Port duties that would be ruinous to those less burthensome, on which the charges would be nearly the same. Step on board the opium vessels and there again the evidences of an active and lucrative trade are every where around you. On one side of the deck you see ranges of chests of Patna and Benares—the other strewed with the contents of chests of Malwa which is not packed in balls like the Patna, but in loose cakes, every one of which the opium-dealer examines, rejecting many chests perhaps, before he takes one. Turn your eyes aft and you see again in one place, boxes of dollars marked 2,000, others marked *sycee*—and in another place the Chinese employed for the purpose, emptying bags of dollars and *sycee* silver and shroffing or examining them. The large *sycee* lumps, are like small pigs of lead in form and in size nearly—but the brightness of the pure silver, of course, would prevent your mistaking one for the other. It is impossible to behold these symbols of wealth in such abundance as you do in these vessels

and so carelessly scattered about as it appears to be, (only *appears*, for it is in reality well look'd after,) without being strongly impressed with a conviction of the magnitude and importance of the trade. The capital embarked in it, is indeed very large, involving nearly 20 millions of dollars. The bargains for opium are mostly made in Canton, though a great many chests are actually sold, and not merely delivered, on board. When the opium is sold in Canton, the seller gives an order to the opium broker for the delivery, and if it is Patna or Benares, there is little trouble and his purser or agent gets at once the quantity of the marks specified in his orders; if Malwa opium, the latter will examine every cake and then weigh the whole, and, perhaps, he will not complete half his order; for great tricks are played in Malwa and the contents of chests are sometimes changed between the time of purchase and shipment and a spurious article substituted,—and I have heard of a chest of bricks being substituted by the clever rogues at Bombay. A great portion of the Opium, is paid for on board in dollars or sycee silver, and a *kumshah*, or present, of five dollars upon every chest, is paid to the Commander for him and the officers. Of late, I believe the owners have appropriated part, in some instances all of this perquisite; although they have reduced the pay of their Commanders, and the trade is quite as profitable as it ever has been. The life the Commanders of the depôt vessels lead, is most extraordinary:

From eve to morn—

From morn to dewy Eve,

they are superintending the weighing opium, or rowing about giving directions and delivering orders they receive from Canton, to ships arrived, with opium, relative to transhipment. They talk and think and dream of the drug,—and the very air they breath is redolent of Morphia: yet I never heard that its influence had rapt them in elysium, as it did the opium-eater and Samuel Taylor Coleridge, whose "Physeological curiosity," as he calls a certain fragment of verse, is said to owe its origin to such an influence—though he merely states that he dreamt—a dream of poesy to which, after he awoke, he endeavored to give a local habitation and a name on paper—but was interrupted at the 50th line. Our friends the Captains of the Opium vessels, I apprehend, dream rather of transhipment, deliveries and *kumshahs*—but they are very good fellows notwithstanding—and seem to be happy in an occupation, enough one would think to weary the patience of Job and conglomerate the brain of a Newton; and their olfactory nerves become so hardened by habit, that they are quite proof against a narcotic odour so potent as to be very disagreeable and oppressive to those less accustomed to it.

It is quite a mistake to suppose, as many do, that the smuggling boats, take in their cargoes and run them at night. The truth is they carry on their trade not only in the face of day, but in the presence of the Mandarin boats stationed at the anchorage to prevent it, and they land their cargoes at Canton. What may seem more extraordinary to those who have paid no attention to the accounts of the Chinese government and character, is, that the Mandarin boats are often employed in smuggling. Captain Marryatt has fallen into a ludicrous error in respect to smuggling opium in one of his works. One of his characters, a smuggler in England, has acquired his skill in smuggling by having been employed in one of the opium traders in India! What an absurd idea! The opium vessels from hence merely deliver their cargoes to the *depôt* vessels with some occasional exceptions, and even the depôt vessels merely deliver their opium to boats which come alongside of them in broad day-light, with no more risk and trouble than they would have if the trade were legalised. Where then are the Captains of Opium vessels to acquire skill in smuggling? The whole system is curious enough, but the key to the facility with which the laws of China are set at defiance, is to be found in the fact that they are many of them in opposition to the desires of the people and that in China what Sir Robert Walpole once said of English statesmen, is literally and emphatically applicable to every functionary in the empire from the Emperor down to the lowest mandarin—the Emperor not excepted.

But we have remained a long while at Cum Sing Moon and it is time to proceed. Every work on China describes the famed Bocca Tigris and

The fertile hills and flowery dales

which are component parts of the beautiful scenery of Whampoa, the *ne plus ultra* of foreign vessels resorting to the port of Canton; and my experience enables me not to add any thing to what able voyagers have said on this subject. We will proceed to Canton therefore; but as its physical features have also been often and fully described, I shall have little to say on those points.

Every body has heard of the boat population of China, but to be placed in a situation to obtain the most extensive view of it, one should pull up to Canton in a boat from a mile below the city against the tide, when you are obliged to thread your way through countless boats of all descriptions that form this mass of floating habitations. According to a late estimate, the number of boats is about 84,000, and the number of human bipeds allowed to be in each boat, three; but five would be nearer the truth I suspect.

Most conspicuous among these boats, are those called "Flower boats." These are in fact large floating hogsties—they are of the budgerow kind, but of a much safer build, and infinitely handsomer and more tasteful in point of decoration. The whole of the window frames and lintels of the doors are richly

carved and painted green and vermillion, with much gilding; and at night they are a complete blaze of light diffused from innumerable lanthorns most beautifully painted. The first idea that suggests itself on beholding these floating habitations of vice, is one most unfavorable to the morality of the Chinese, and our self-love for a moment flatters us with the notion of our own superiority. "Here! we are apt to exclaim, is one of the strongest proofs of national demoralization! for here we see the vice which in other countries pays so much homage to virtue as to withdraw itself from the public gaze, openly exposed—courting not shunning—publicity! Something of this kind I confess, passed through my own mind; but a moment's reflection on the scenes we witness in the streets of our great cities, and in our theatres, convinced me that as respects the melancholy case of prostitution, a comparison with China would be little to our advantage, even with all the allowance due for a knowledge of that higher morality which christianity inculcates; that without that allowance, it would be much in favour of China, where none of the degrading intemperance of Europe—of England at least, accompanies the vice, and where the ears of the passenger are not shocked by language at once prophane and disgusting.

Some of the boats that carry on the inland trade in China, the oil boats in particular, are elegant, safe and commodious and at least century in advance of those of Bengal: they are entirely roofed over and pulled or poled along, upon external plat-forms which extend the whole length of the boat. The oil boats are particularly fine specimens of boats,—but we must get on shore.

You land in a square, three sides of which are formed, by the foreign factories on the north; by one side of *Minqua* the Hong Merchant's, on the west; and by the wall of the garden of the Company's Factory or of that which was the Company's Factory on the east; and the fourth by the river's bank crowded with boats.

This square, and a few streets of the suburbs at the back of the Foreign Factories are the limits to which the Foreigner is restrained, by the laws of the Empire, which profess such peculiar humanity and courtesy to "distant foreigners;" but Foreigners do not always pay attention to the limitation. Some have wandered round the city, and been well beaten and robbed, by the rascals who abound in and near Canton, and some few pacific subjects occasionally who walk into the fields are unmolested I know one gentleman who does so regularly, and on the island of Honan opposite Canton you may walk for miles without let or hindrance albeit contrary to law. There are certain days in the month however, on which a certain latitude is permitted to the Barbarians when they may visit a garden on the opposite bank; the *Pharter* garden, which they do visit whenever they please, however, without reference to the restriction.

The most remarkable lion near Canton is the temple of Honan, but though worthy of inspection, and much larger than the one at Macao which I have already described; that at Canton is very inferior in beauty of structure. At this temple Lord Amherst and suite were located. The most remarkable objects attached to it are the sacred pigs, whose obesity is brought to such a pitch of perfection—that their legs no longer support them, and they lie still because they cannot move.

The scenery about Canton is exceedingly varied and beautiful; but it has been so often described that I will not weary the reader with repetition—a boat sail on the river, which is the most common recreation of the foreigners, continually presents the features of this scenery in new and striking points of view and is at once interesting and refreshing.

The Foreign Hongs present a connected range of buildings in front, like the sides of one of our squares in London, only that instead of the narrow doorway opening into the single house, you must fancy a wide entrance opening into a vista, like Burlington arcade or any similar passage, and you will have before your mind's eye an image nearly of the entrance of the Hongs in China. As you proceed down the passage, you find, however, that there is not a continuous roofing over head, for between each house or factory, as it is called, there is a separation above, although the buildings on either side of the passage below are continuous. Each factory is, however, built right over from side to side. The Hongs are, in short, a succession of houses one behind the other built on arches over the passage, with spaces between them above, through which you behold the canopy of heaven. The front factories which face the square are airy enough, but in the hot weather those at the further extremity which have all a back door into one of the streets of the suburbs, are awfully warm. In other respects some of them are large and commodations dwellings. The Company's Factory is indeed splendid—but all the world has heard of that.

Society in Canton is of course extremely limited, and like too many other small societies, it is—I hope I may soon be enabled to say *was*, unfortunately divided into two parties, which have occasionally manifested much bitterness of spirit. At the head of these two parties are two great houses, the houses of York and Lancaster of Canton, whose wars of the red and white rose, were party it is thought the cause of much of the opposition and indignity which Lord Napier experienced. It is quite certain that the Hong Merchants were too well aware that the English were not agreed in their opinions as to Lord Napier's proceedings; and the knowledge of that fact is of itself sufficient to account for much of

that which occurred. I have no desire, however, to enter into political discussion here. The stranger fares none the worse, for this division of opinion, for unless he is an arrant blockhead, he will not mix himself up with any party, and is sure, if he brings respectable introductions, of being hospitably received by all. Changes are taking place, moreover, in Society at Canton, which will soon put an end to the state of things described. Every ship from England almost, brings out some addition to the number of foreigners, new firms are springing up and the names of two great houses will soon cease to be made, as they have been made, the watchwords of party.

The hospitality the stranger experiences at Canton, is almost the only agreeable feature of his sojourn in that place. In all other respects Canton is about the dullest place for an idler, on the face of the globe. The Society is wholly male, which of itself speaks volumes against the possibility of its being agreeable, and then all the residents with one or two exceptions are entirely absorbed in the pursuit of gain, and the routine of their life is from the table to the counting house, from the counting house to bed. The breakfast hour varies in the hot weather from 8 till 10, the more general dinner hour is 4 o'clock or half past. If conversation is diverted for a while from topics merely local, the misfortune is, it soon ceases, for as soon as the host rises from the table, he must Sundays excepted (not always I suspect) make his way again to the office where he remains till a late hour of the night. In the cold weather business does not cease till 2 or 3 in the morning sometimes! What a life! I went once before I was initiated into the customs of the place, to dine with a merchant to whom I had a particular introduction. The dinner hour was half past four and we sat down, a party of some twenty perhaps. The dinner of course was excellent, but I am no gourmand and care little about these matters. There were one or two present who could have talked on matters of interest far beyond the localities of Canton, but some how or other, I believe if we did deviate a while from the topics of the place, we soon got back to them. At half past five we rose, and separated, each to his particular pursuits. I went with a friend to take a sail on the river; but although I knew that where I resided we never met again in the evening, I thought that elsewhere perhaps on a party day when strangers were invited, there might be a difference and accordingly went back to the factory where I had dined. On looking up, however, I was rather surprized not to see the house lighted up above, though there was a blaze of light below. That—reader, was the counting house! and my host when I entered, immediately welcomed me back again very cordially, and proposed to go up stairs and have a cup of tea, but I perceived his own was on *his desk*, and when we ascended, I found we were to have the benefit of a *tête a tête*: I alone, of all the guests had returned: it was a grimmish trick; but experience teaches, as the copy book instructions, and I did not fall into the error again. Such is the general rule, but there are exceptions. I dined with one gentleman, also a merchant there, and not only met a pleasant party at dinner, but we did not break up after that meal, but adjourned afterwards to another room, where we were soon afterwards joined, by several other members of the community dropping in, in a friendly way, and among others were the rival editors of the two Canton Journals, meeting on the neutral ground of the domestic circle and forgetful of their public differences amicably joining in the social converse or the game of whist of the evening. Altogether this was one of the pleasantest evenings I past in Canton. The conversation, both at the table and in the drawing room, took a wide and interesting range, and elicited many observations from our intelligent host and his particular friend, a principal merchant of the place, which shewed them to be as well informed as they are honorable and benevolent; but as I have said this is an exception; such *reunions* are not very common at Canton, and the ordinary routine of life is to the last degree wearisome, yet that place will eve be associated in my mind with certain grateful reminiscences of the kindness I experienced there, and dull as it was, I left it with regret.

As I have alluded to the Editors of the two Canton Journals both very intelligent men, a few words on the state of the press there may not be out of place. I am sorry to record then, that in one respect nothing can well be more humiliating than the condition of the Canton Press. The turth is, a truth recently admitted with great candour and *naiveté* by one of the Editors, that the two journals are chiefly supported by, if not entirely the property of, the two leading house of Canton; If that support had gone no farther than merely supplying funds for the purpose of establishing them journals, and afterwards taking a number of copies and supplying them with intelligence, that would have been all very well, and I can conceive such a state of things compatible with perfect independence in the Editor; but the Editor of the *Canton press* has informed his readers that his predecessor was turned off, because he ventured on expressing in his journal opinions at variance with those of the firm which supported him on questions of British police towards China! Of course then, the paper is not an organ of public opinion, but of that of the private individuals who have established it, and the editor can be little more than a puppet whose wires are moved by them. It is a matter of great regret that the Press should be in such a state of dependence, for that tends more than any thing else to keep alive those party feelings which would otherwise be exterminated by a re-action in favour of that unanimity which is so desirable in a community so limited. Who that knows any thing of the leading men of the opposed parties can fail to lament that men honorable and benevolent as they are, possessing in common the

good qualities that make them esteemed by others, and should bind them to each other, are kept wide asunder as the poles, by mere differences in political opinion? The Press at Canton is in other respects, however, a credit to the community, and is continually supplying materials for the future historian of China. The *Canton Register* has been long established and has obtained a reputation for the interesting character of its local information—for the light it has shed on the manners and customs of the people. Mr. Slade, the Editor, is a Chinese scholar, though not I believe very profound in his knowledge of that difficult language. The *Canton press* is of recent origin. The early numbers were indeed sad trash; but Mr. Moller, the present Editor, a German by birth, I believe, is a man of general information and varied talent; he is under the disadvantage of addressing his readers in a language which, though he speaks it with great fluency, is foreign to him. It would be wrong to omit from a reference to the Canton Press, most honorable mention of the *Chinese Repository*, a work of which any press may well be proud. The *Chinese Repository* is a monthly publication edited by the Rev. Mr. Bridgman, a Missionary, aided, I believe, by Mr. Morrison and occasionally by Mr. Gutzlaff, all distinguished for their talents and acquirements. Mr. Morrison, the son of the celebrated Dr Morrison, must indeed, at present, plead guilty to the charge of youth; but I trust he will live long enough to acquit himself of this fault, and to give new value to the work he assists, by the benefit of his future experience. The *Chinese Repository* takes a most decided tone in Chinese politics, but may be considered perfectly independent. The success of this periodical far exceeds that of the two *hebdomadal* journals named, for it has a circulation of upwards of 800, and the two first volumes are out of print I believe! The *Chinese Repository* is, indeed, justly regarded as a work of authority on Chinese affairs.

Returning to the Society of Canton for a moment, I have a few words to say respecting one institution there which I hold to be in its constitution invidious and injurious. I allude to a certain club, established on exclusive principles, the meetings of which are held at the houses of the Members in rotation. None but members of firms are admitted of the residents, and of the strangers only those who are Members of firms, civilians, or Captains in the army or navy. No gentleman who is not in one of these capacities can attend the club, and his host, if a member, must either absent himself or go and leave the stranger within his gates at home, to the servants—to ponder perchance on the vanity and on the folly of mankind: now if there be one place in the world in which more than in any other, an exclusive association of any kind be entirely without excuse and calculated to create or keep alive bickerings and animosities which it is desirable to prevent or allay, assuredly that place is Canton. Among the foreigners there is none of that distinction in society which exists elsewhere. That of Canton is composed chiefly of merchants and their clerks who all meet each other at table—and yet in such a place forsooth, a club on an exclusive principle is set up!! I do not speak from mere conjecture, in what I say of the effect of this club. I *know* the fact that it does create and keep alive animosities, for I have heard it loudly condemned by men who would not join it merely on account of the ill judged and invidious exclusion I have described, and very justly too; for especially in Canton every thing which has the slightest approximation to exclusion ought to be discountenanced. I do not believe that some of the literary gentlemen I have named would become members of the Club if they were eligible, but conceive an institution which excludes the most intellectual men in the place, which would exclude an enlightened traveller for example if such a one should ever visit Canton if he happened not to have the rank of Captain!!! Can any thing be more absurd!

I have already spoken of Messrs. Bridgman and Morrison but I must omit to mention the philanthropist Dr. Parker. This gentleman combines in himself the vocations of Surgeon and Missionary. In the first he has a very high reputation, and in the opthalmic hospital under his care has afforded relief to thousands of the Chinese. As a Missionary he is zealous and truly pious but utterly inobtrusive, the modesty of his manner being only equalled by the mildness and benevolence of his disposition. He is a truly good man. This plan of associating the Missionary and Surgeon in the same person is of recent origin, I believe, and likely to be exceedingly beneficial. In Macao under the auspices of Dr. Colledge a subscription was being raised to promote missions of this kind. On this plan though missionaries may, and certainly for a long time will fail to *convert* in China, they cannot fail to do good.

I have little more to say of Canton except to give you a description of a Chinese dinner I had at the house of one of the Hong Merchants, but as my memory is rather defective I will borrow Lieutenant Holman's account which will answer as well; and merely add a word or two upon it.

"Mr. Copeland and myself accompanied Mr. Reeves and his son to-day, to dine, *a la mode Chinois*, with one of the Hong merchants named Tin-qua, whom we found, on our arrival, ready with two of his Chinese friends to receive us. On dinner being announced, we were conducted to a circular table, and each of us provided with a pair of ivory chop-sticks mounted with silver, a silver ladle with the handle much curved, a small cup of soy, a saucer or stand for the bowls out of which we were to eat, and an elegant silver cup richly gilt, with two handles, mounted on a stead of similar material, and resembling in form an inverted saucer. This cup was used for drinking sucy-sung, the wine of the country, and did not contain more

than the old-fashioned Chinese tea cup; but after drinking the health of one of the party, it was usual to turn the inside of the cup towards him to show that it was empty. The wine was presented to us boiling hot, and our cups replenished at every remove. In addition to the above, each European was supplied with a knife and fork, and some bread. The table was laid out with eight small dishes, containing articles to whet the appetite; such as cold dried pork, called chin-chew, grated so fine that it resembled red-coloured wool; small chips of dried salt fish and ham; roast chicken, cut into small pieces shaped like dice; pig's tongue; salt fish, torn into shreds like flax; legs of ducks, cured in the same manner as hams; and a salad, composed of greens, onions, garlic, salt fish, and eggs, mixed up with tai-oil. These delicacies were cold, remaining on the table throughout the entertainment, and were paid uncommon attention to by the Chinese, at every opportunity afforded them by the removal of the bowls. The dinner commenced with a large bowl of bird's nest soup, from which each person helped himself. We found it very insipid until flavoured with soy, as the necessary condiments of salt and pepper seem to be wholly neglected in Chinese cookery. The second dish was shark's-fin soup, with balls of crab, followed by divers others, among which was a vegetable soup, made of prepared sea-weed from the coast of Japan. This weed, which is called taychoty, resembles, in its dried state, the pith found in the hollow of a quill, but in the soup its taste is similar to that of celery. There were also in this soup slices of young bamboo, and roots of the white and water lily, each having a peculiar and agreeable flavour. After the soups came stewed mutton, cut as fine and tender as vermicelli, the gravy delicious. This was followed by roasted pigeons' eggs in a very rich gravy. We found it no easy matter, however, to transfer these eggs from the bowl to our cups by the means of the chop sticks. The Chinese do not clean or change their chop-sticks during the dinner, but each thrusts his own into every dish, and helps himself throughout the repast. They also consider it exceedingly polite to help a foreigner with their chop-sticks, after having eaten with them themselves from various dishes. Next came roasted pork, the skin of which was served up by itself as a peculiar delicacy, having been fried brown in fat, and cut into squares. Roast capons followed and were found exceedingly tender, having been fed on ground rice. Stewed teal was then served, followed by stewed pigeons, mushroom, ducks, fish, and a numberless variety of dishes, of the names of many of which we were, of course, ignorant. At the conclusion a large bowl of rice was served up, as hot as possible, with sundry square pieces of salt fish to give it a relish. To eat a bowl or two of this rice as the wind-up of a hearty dinner, is considered by the Chinese as a sign of a good constitution (one thing is pretty clear, that it is a proof of a strong and capacious stomach) and our friends attacked it accordingly. We had neither butter nor cheese on the table, as the natives do not milk their cows in the neighbourhood of Canton, and foreigners are therefore obliged to provide themselves with cows for their own purposes. Our host adopted the English custom, and set the example of drinking wine with each other; while we, at the same time, followed the Chinese mode of salutation, repeating the word chin-chin, and reclining the cup towards the person whose health we drank, to show that we had emptied its contents.

"Wine fills the veins, and healths are understood,
To give our friends a title to our blood."

Waller.

"This wine is extracted from rice, and though by no means strong, has rather a pleasant flavour. They drink it exceedingly hot, with the idea that it is an *appetizer*, and assists digestion. It seems to be used on the same principle as the warm liquor of the Roman epicures, which enabled them to continue at supper all night long. We had a dessert of preserved and dried fruits, followed by tea; after which we took our leave."

Of the wine which Lieutenant Holman calls *Surg-sung*, I never heard. That we had at the dinner at which I *assisted*, was called *Choo-ine* as nearly as I could catch the pronunciation. We had some soups also not mentioned in the above description; one of these which came after the soup of shark *fins*, was a soup of shark skins and fish maws, and as for knives and forks, we had no such conveniences, but merely chop-sticks and small porcelain ladles for the soup. Our tables were not circular but oblong and covered with embroidered scarlet cloth, as were also the chairs. Chinese cookery appears to me to be made up of grease and mucilage; all the soups and stews are valued merely for their *aphroditic* qualities, "*to makee strong*", as the Chinese elegantly express it in Canton English,* and as for their cold dainties, which remain on the table, heaven preserve me from them! I got one mouthful against which my stomach so instantaneously and powerfully rebelled, that if I had not fortunately picked up with my chop sticks a bit of pickled ginger, one of the best things on the table, I know not what might have been the consequence, but at present I must bid you adieu, not for want of more to say, but in mercy to your space and your readers.†—*Literary Gazette, Jan.* 29.

COSMOPOLITE.

* The *Chinese Repository* gives some specimens of this English, which I will ask you some day, to re-publish with a translation, which I will supply, and which is indispensable to the uninitiated.

† Permit me in a note, to qualify a remark I made in my last in reference to Chinnery. I said that of late it had been the fashion to underrate him: I should have added in some few quarters; and I ought also to have remarked, as I do now, that I never heard but one opinion of Chinnery among men of the least knowledge or taste in art.

IMPROVEMENT OF INDIA.—ROADS.

[BY THE REFORMER.]

The road next in importance to that from Calcutta to Bombay, which we fully described in a past number, is, particularly in a commercial point of view, that from hence to Assam, through the Khassiah Hills. The first portion of this road is confined to the Delta of the Ganges, which it crosses in a direct line, from Bauleah to Dacca via Jessore. This portion, though not yet completed, may be considered as open to the traveller and the

merchant. Until very lately convicts were employed on this road under an executive engineer; but, as the greater importance of the military road, now under construction between this and Benares, more urgently required their presence in that quarter, thither they have been sent. A very bad part of this road is that which is passed after his leaving Barasut. The tract of country over which it runs, is low and marshy, composed of stiff clay, which when wetted by the rain, becomes impassable. To make a good road over this, would be very difficult and expensive. Perhaps a better, though a little longer route, towards the north, should be preferred. The line may first proceed from Barasut along the Hooghly River to Chagdah, and thence strike eastward to Bungong. By this route the low country and the bad soil are avoided, and an excellent road, with trees on either side, made by a liberal inhabitant of Jessore, might be taken advantage of. This route, however, as we have stated, is not so direct as that over the low country we have mentioned, which, if Government think fit, might be opened by forming a bund or cause-way, and thus raising the path above the level of the surrounding country.

From Bungong to Jessore the road lies over a good soil, which is passable throughout the year. From Jessore the greatest difficulty experienced, is in crossing the numerous arms of the Ganges which intersect the country. There is, however, a good bund road from Mahmudpoor to the Ganges, which occupies about half of the distance between Jessore and Hajigunge, on the Ganges. The worst part of the road occurs immediately on crossing the Ganges; for from this point to Dacca, a distance of more than 30 miles, the country is a complete morass, and during the rains, entirely under water. It is also crossed by many nullahs of various sizes, which render travelling at any season tedious and difficult. To make a good road across this portion of the country, would require a very high bund and many bridges and drains for the passage of water, the expenses of which would amount to perhaps a lakh of rupees. If the Government are not prepared to incur this expense on so small a portion of the road, a circuitous route through a better soil must be adopted. Perhaps the Ganges may be crossed at a higher point than Hajigunge, and the route pursued in a more northerly course to Sahpoor on the Dulasery branch of the Ganges, and thence eastward to Dacca. By this route fewer nullahs and a higher tract of country would have to be crossed.

At present our information on the road from Dacca to Silhet, is very scanty. The country over which it passes is intersected by many rivers and streams which branch out from the Ganges and the Megna. The best point for crossing the Megna would, however, be at a place called Nurrungdy, where the river is not divided into so many branches as at other parts in this neighbourghood. The road would then proceed along the banks of this river in a north-easterly direction to Sujutpoor, whence leaving the Megna it might strike in a more easterly direction towards Silhet, passing Baniachung, Ajua, Cattya, and Runbaug, which places are in a direct line between Sujutpoor on the Megna and Silhet. From the former place there is another route to Silhet, via Tarrof in a more easterly direction and nearer to the Tipperah Hills; but we have no reason as yet to prefer it to the former, via Buniachung.

The road from Silhet towards Assam, follows the course of the Cosee river to Gyntiahpoor, a place with the name of which our readers are well acquainted, as being the seat of a Rajah whose territories have been confiscated by Lord Bentinck. Gyntiah is on the first range of the mountainous tract which intervenes between the district of Silhet and the valley of Assam. From this place we proceed to Chirrapoonjee, another range called the Khassiah Hills, and inhabited by a rude people. The importance of a route through these hills into Assam, opposite Gowahatty, has long been acknowledged, and partial attempts have been made at times to open a good road; but the hilly nature of the country is a formidable obstacle in the way of such an undertaking. There are three routes which the native mountaineers use. That to the westward crosses streams which run westward, and that to the eastward is intersected by streams flowing in the opposite direction. Both these roads are very difficult in the rains, owing to the mountain torrents, which swelling at this season, become extremely dangerous for travellers. There are also many marshes and thick junglees to cross, which, during the rains, are very unhealthy to people, not inured to the climate. But the third route, via Nunklow, which is between the other two, is considered the best. By following this, the greatest number of streams are avoided on either side, and the country, being generally higher, is free from noxious marshes and thick jungles. This tract of hilly country might be crossed in about four days, when the road opens upon the plains of Assam.

This district, comprising in itself a kingdom, is, properly speaking, an extensive valley, lying between the Bhooton hills, which join the Himaliah, and the Garrows, which separate Assam from Silhet and Munipoor. The great Burhmapoottra river, taking its rise in the Himaliah, opens into the eastern extremity of this great valley at Suddiyah, and, sweeping along the whole extent of Assam, as far as Rungamutty, in a westerly direction, changes its course towards the south and describing a large curve, joins the mighty ... just before its entrance into the ocean. This valley, extending from Suddiyah to Rungamutty, is called Assam. The road which we are pursuing opens into this val-

ley at Gowahutty, and, in its general direction, must follow the course of the Buchmapoottra. The country is, however, described as unfavourable, consisting of high grass jungles, and in the rains very much inundated; but the soil is rich and well adapted to the cultivation of indigo, and rice in the lower parts. The importance of the road along this valley depends partly on the valuable productions which Upper Assam promises to yield: the tea, if found to succeed, would alone pay for all the outlay that may be incurred in improving this lately acquired country.

We cannot help noticing in this place, the great exertions Captain Jenkins, the Governor-General's Agent in Assam, has, for sometime past, been making to improve this district. For many years before the late Burmese war, which brought it under our dominion, Assam had been a prey to the rapacity of the Burmese on the south, and of many nameless hordes of mountaineers on the north. All these predatory tribes have, however, been awed by the power of the British Government, and Assam again begins to smile under its mild administration. The present promising state of the country is attributable chiefly to the judicious management of Capain Jenkins, who has done all in his power to inspire confidence in the people nd encourage settlers of every description. The eastern frontier of Assam, bordering as it does on the Chinese Empire, is of importance, both in a commercial and political point of view; and its proper settlement is therefore, of the greatest consequence to the prosperity and defence of the British Indian Empire.

There are two very important branch roads which may be struck out from the one we have been describing; one from Dacca, via Chittagong towards Aracan, as far as the British dominions extend in that direction; and another from Silhet eastward, towards Munipoor, which makes a near approach to the capital of the Burmese Empire. We have no time just now to enter into a description of these routes; but we shall take an early opportunity of returning to the subject, when we shall lay before our readers such information as we have been able to collect regarding these roads.—*Bengal Herald, Jan 29.*

ON THE STUDY OF NATURAL HISTORY.

The Government of India have come to the great resolution, and have partly effected it, to give to the next generation of a population of about one hundred millions of souls, a well adapted general and special education; this must raise them from that primordial state of apathy, ignorance, and helplessness, to an enlightened social life, and thereby bring them nearer to that universal bond which unites all civilised nations through beneficial mutual intercourse. Thus by developing their faculties and expanding their minds by the diffusion of useful knowledge, they also will enter the great arena of light, which is becoming more and more expanded by the vast progress which arts and sciences are now making.

The instruction of a neglected, and until our days untutored people, who have remained stationary in the course of their knowledge for thousands of years, under the influence of religious prejudices and worldly despotisms, is indeed an undertaking of immense consequence. It was a blessing of Providence that the day arrived when strangers, landing from distant isles, became the rulers of the country; and that now an enlightened Government offers a paternal emancipation from the darkness and slavery of former ages.

Indeed, the spread of general knowledge is the great engine which insures prosperity in every way; it secures the blessings of the instructed multitude, and creates an attachment to the benefactor, unknown to the neglected son of nature.

And is any people more fit and ripe for the benefit of civilisation, than the intellectual soft minded Indian? Scarcely has the great work of education began, and yet with what success have the first endeavours been crowned!—what do they promise in future?

It is, therefore, of the greatest consequence to ponder well what parts of education are the best adapted to be given after the first elementary instruction!

The study of Netural History is undoubtedly one of the most important and beneficent. Many may consider it entirely unnecessary, many not suited for Indians—or premature.

But let us examine the study of nature in a double point of view; first considering the use and advantage derived from the contemplation of the works of God, and afterwards viewing the effects emanating from its contemplation.

The first may be subdivided into, 1st, pure intellectual advantage; 2ndly as a recreation.

Is there not a great satisfaction in the pursuit of truth? Does not a discovered truth

widen our hearts and make them susceptible of further inquiries and investigation and where is truth, bounty, wisdom, and beauty more united than in the works of God?

People spend their lifetime in studying the works of sculptors and painters, and never cease to admire the beauties of a statue as a masterpiece of perfection. And yet the most splendid productions of human genius are nothing: but a faint imitation of the works of creation, those are the pure models of perfection from which every imitation is derived. They are the never vanishing types of this great *atelier*, as busy in the formation of a microscopic animalcule, vegetable pollen dust, and scarcely visible mineral crystal, and as perfect in it, as in the construction of a planetary system.

Some people think only astronomy is a science which can elevate the mind, and if the elevation of mind is in direct progress with the greatness of the object, the human mind must loose itself in the extension of the world; but certainly a water drop with its myriads of creatures is as sublime as a milky-way of stars, and perhaps more adapted to create wonder and admiration in the multitude, than all suns and stars together.

The great indifference shown to the study of Natural History, arises from the total ignorance of what exists, and from the pitiable scorn with which men of the world regard the worm they tread under their foot, because they consider themselves to be the only pride of creation.

The contemplation of objects of Natural History, leads to the conclusion that there is a design in their formation, and a nearer inspection convinces all of the superiority of that design beyond any description; a still closer examination shows this most perfect design spread throughout the universe, and this brings us to the conclusion, that there must be *one* Designer and Maker; therefore, Natural History leads us to the knowledge, and manifestation of one great maker and preserver.

Of what immense use, therefore, is the study of Natural History to the Hindoo youth! Lost from their infancy in the labyrinths of their Gods, and mythological objects; wrapped in superstitious mystery and observation of mere forms, a knowledge of nature would very soon lead them to extricate themselves; they would observe, how much this kind of worship is below the dignity of the deity, and they would soon be brought to the knowledge of the only true and great creator; without attacking directly their mode of worship, they themselves would abandon their idolatry, their ripened mind would seek for truth, and be prepared to embrace a superior positive religion. On the other hand, there are thousands of them, who have almost lost their mythologies insufficient and absurd, but they have lost themselves in the opposite extreme; they have denied the existence of a higher providence, and believe the world a mere chance or mechanically working machine. Let them study Natural History, and you will find it the best preservation against Atheism; their morals will increase, for they will be convinced of an Almighty and all-watching providence manifesting itself throughout Nature,—they will no more believe themselves tools in the hands of a blind fate, but cherished children in the hands of a heavenly, bountiful father.

Let us now consider Natural History as a recreation for the man of leisure and business.

A man imbued with the love of nature from infancy will never find in the midst of luxury and abundance of every kind, his life monotonous, tiresome, or even odious, as so many do exhausted with pleasures. All that surrounds him will appear in a different light, and will be a source of gratification. In every tree or blade of grass, he salutes a well-known friend, and in every new object he welcomes a stranger, whose acquaintance he will be most desirous to make. Every walk or drive will discover to him new beauties, new testimonials of the perfection of the creation, and many of the rising generation will abandon their harems, horses, dogs, hookahs, and opium, as the only objects worthy for their attention. For the man of business it is certainly the best and most noble kind of relaxation viewed in the same light as before. And what a field of observations and study is opened in India to the European! thousands are spread over the country, who consider their existence only as an honorable exile.

The military man is frequently at a loss how to spend his leisure time; the civil servant is equally at a loss for innocent and amusing relaxation; what a mass of information could be gathered, if throughout India, only one or two men existed in every station, who studied the products of their neighbourhood,—if in every hundred miles a little collection was erected and mutual exchange and communication established throughout the country. A new epoch would begin in India!

It is natural that this does not exist because the deepest ignorance reigns (with few exceptions) throughout India in matters of Natural History. Let schools, therefore, be established, let the youth be aware, what an abundant field of investigation surrounds every one, and in ten years how great will be the change, to the inexpressible satisfaction of every individual, and to the immeasurable benefit of the country, and then the tediousness of a country life would seldom be heard of.

"Thus may our lives exempt from public toils,
Find tongues in trees, books in the running brooks,
Sermons in stones and good in every thing."

I could extend my argument much longer in recommending Natural History as acquiring and preserving health, and finding an inexhaustible source of pleasure; but let me hasten to the second part, to the positive advantages of the study, for there are many who look only for material use and benefit; those are not easily convinced, evidence must be put clear before their eyes.

Every thing which administers to our wants, comforts and luxuries, is derived from the productions of nature; it is the great storehouse never exhausted, nay scarcely opened. In the primitive state of nature and rudeness men have studied nature much more than we do, directed by necessity, aided by chance, and contrived by instinct, observation and analogy. And are we not ashamed to use the light kindled by savages, without aiming to spread it to an all-illuminating torch? Europe, roused from the apathy of centuries, nourished by despotism, enjoys the time of peaceful liberty to the great benefit of mankind. Chemistry, zoology, botony, mineralogy make daily progress since the last century. But what has been done in India? The few scientific men who were allowed by a particular favour to sacrifice their life and health by too great exertions, to examine India, fell either victims, or were poorly supported. Few enjoy the opportunity to continue their exertions; and if hundreds had spent their lifetime in India, they could have only partly lifted the heavy veil which covers this immense country? Science and love for it must generally and every where be spread to produce permanent effects. The people of India possess precious riches of indeterminable extent! Chance has brought them forth, and many medicines, drugs, dyes, and other productions for manufactures are used by the natives. But have ever Englishmen condescended to examine them throughout, tried to make them generally useful, much less to consider them as articles of exportation?

It would be too long to treat of them all: I will only try to draw attention to one of the most important articles, the colouring vegetable matters, which are now, as articles of commerce for Europe, of the greatest importance. The number of cloth printing manufactures increases daily; of what consequence, therefore, is the discovery of one single durable permanent colour?

For yellow colours weld, saw-wart, dyers broom, fustel, frenchberries &c. are used in Europe; scarcely one of them is throughout applicable; they want substitutes, and Europe resorts to America, which, neglecting Hindostan, is generally the first consulted. The yellow wood is imported from Brazil and the Antilles, the yellow oak from the Anotts from Haiti, only the turmeric is brought from the East Indies. All are valuable, but certainly India produces much more durable yellow colours, but nobody takes the pains to examine them. Of blue coloring matters I do not venture to speak, because India possesses in the indigo an invaluable article, which could scarcely be overcome by any other substitute.

Of red coloring vegetable matters, madder and cochineal are the most important; both could be cultivated in India, scarcely an attempt has been made. The nena (guilandina) and the chajaver (oldenlandia umbellata) would be substitutes for them,—could be given at perhaps half the price, and an income measuring itself with at least a part of the revenue from Indigo might be realised for the country.

Of both of these, though daily used in Hindoostan, scarcely in Europe any thing would have been known, if Gonfreville, a much neglected and much injured naturalist, had not brought them to France, where they were afterwards examined in Mechlhauxe.

The log wood and Brazil wood furnish a great source of income to Mexico, the Antilles, and Brazil; why should India be excluded from this profit? It possesses, as already known, in the sapan wood and pterocarpus sunntalius great riches, but scarcely any body can show, which are the trees that produce it, on account of the general ignorance and indifference of the people; and if a speculating man would make a trial of exportation only as ballast, he would be obliged to ask perhaps from the celebrated Robert Brown in England, the favor to give him a specimen of a branch from the tree, wander with it to the peninsula in the woods, and ask the trees there if they recognise the dried plant as one of their own! For, strange to say, in the whole of India exists not one authentic herbarian to consult, those of England having hitherto been considered as quite sufficient.

But the coloring matters form only a small part of the riches of India. How much might be said, of all kinds of varnishes which are equally good and could furnish the whole world, if explored and used in India, and rival in perfection with those of China! How much more might also be said of the numerous and different gums,—how much of its hundredfold oils. The above will suffice as far as regards articles of commerce in vegetable matters.

Animal objects are entirely neglected. Nobody in Europe knows that India possesses three particular kinds of silk worm, of which every one yields more than double the quantity of silk yielded by the silk worm in Europe, and that millions of cocoons are produced wild in the jungles of the Sunderbuns and in the upper country; without speaking of the different kinds of bees which swarm in the woods and where the collecting of the wax would, if regard, be a considerable source of revenue.

Of the productions of the mineral kingdom I venture not even to speak. The most ancient governments worked mines, the conquering Romans, wherever they settled, paid to the working of mines great attention: and if our industrious and peaceful days condemn the ardent thirst for gold and silver of the conquerors of the first discoverers of the new world; there are other not less precious metals, which are of greater use than the riches of Mexico and Peru. What would be more natural, than that India should work its own iron, lead, copper, and tin mines, and it is not surprising that to this day coal is imported from England in which India so greatly abounds. Passingover the manifold advantages which the agricalturist would earn from the discovery and application of new food for himself and his cattle, from materials for clothing, and those substitutes for his household, I come to another most important point.

Much has been lately said of a committee appointed to examine the medicinal indigenous plants, to use them as substitutes for exotic and very dear drugs, which would diminish the enormous expenses of the Medical department. This is certainly very laudable and desirable. India must possess many hidden treasures, and coming age will be surprized that it was possible, that they remained so long unknowing; it is a great task, which will afford much time before it is properly settled, but it is a problem which, if solved, will not only prove of benefit to Hindostan, but to the whole medical and suffering world, and the discoverer of a second specific like quinine will be immortalized by posterity. This would be one of the first steps of Government to avail itself of the peculiar riches of its splendid empire, which lie round about every where, and which to possess, needs nothing but to stretch out the hand.

I finish my observations about the direct and material advantages of the study of Natural History, by mentioning another use to Government. It is one of the first endeavours of every Government to have an exact knowledge of every part, province, and district of its possessions,—to know its resources.

India is such a vast empire, that ages would elapse before Europeans of scientific education could traverse it in all directions. The productions of mineralogy and botany are those, which it is most necessary should be known, as already shown, on account of their connexion with agriculture, manufactures, and commerce; the more, therefore, persons having a knowledge of those objects are spread throughout the country, the more may the Government draw valuable information from its reports. The enlightened Hindoo youth will soon penetrate every corner of Hindostan, and if properly instructed in Natural History, they are the persons who might furnish the Government with the most extended information from every quarter. Further it is most important that Government should explore all Asia, and more particularly the surrounding countries, hitherto quite inaccessible to the civilized world. If to every mission, political agent, or political traveller, either an Anglo-Indian or a native was attached, who had made a course of Natural History his study, how soon would the productions of Central Asia be known, a stimulus given to commercial intercourse, and by this the resources of the country increased?

Valuable as the information is of Lieut. Burnes, it would have been still more so, if scientific information relative to the manifold natural productions of the countries visited had been included in his publication. To this-day, however, the jealousy of the native neighbouring powers makes the ardent efforts on the part of Europeans to penetrate their territories, with few exceptions, quite impracticable, whilst little or no difficulty would be presented to the entrance of a scientific Native.

All this could be achieved with moderate expense, begining with one or more schools of Natural History. The taste for it would soon be developed, and the profits derived from its application would induce many to study that from cupidity which they have neglected to embrace from love of truth. The most eminent scholars, taught in the first schools, could be appointed in minor districts; from town to village and to cottage, a general knowledge of their own country would spread with rapidity, and the next generation would wonder that their forefathers had been so blind.

The first step of a regularly established study in Natural History, would be the knowledge of the existence of all the thousand mineral, vegetable, and animal productions; out of this would flow the second great part—the examination and application of every useful article to common and general purposes.

No science, which can be applied to the solution of such questions, can be deemed by any man of common understanding, as inapplicable or unconnected with the welfare of nations, and with benefit of individuals. Natural History must, therefore, in its moral and practicable application, hold amongest sciences for ever, one of the most distinguished places.

It is consequently the duty of every Government, and that of India in particular, to encourage as much as possible the study of Natural History; if only on account of the absolute certainly that the pursuit Natural History originates new discoveries, that new discoveries open new sources of commerce and prosperity, and that prosperity and commerce encrease the revenue. *Englishman.*

A. STRANGER.

THE MAURITIUS.

It was towards the close of the year 1835, after nearly six months' residence in the "Mauritius," that I drew up the following slight sketch of the "noirs" of the island in their then state of apprentissage and their apparent qualifications for the unlimited emancipation into which they were about to be ushered. The opinions I have formed of this class, whether accurate or not, are at least the sincere, deliberate result of my individual observation, supported by the collective experience of many residents on the island. It would be disingenuous to affirm that I arrived in the Mauritius with a mind wholly unbiassed on this interesting question.

From early youth a warm admirer of Fox and Wilberforce, and one to whom the very term of slavery was instantaneously suggestive of the enchanting eloquence of St. Pierre, and the contagious pathos of Sterne, I can scarcely be said to have sat down an unprepossessed judge on a cause, in which bondage and freedom, the slave owner and his transferrible human stock, were brought into antagonism. Should the result of my observation then seem to any one unwarrantably indulgent to the planter and severe to the noir, let him at least do me the justice of recollecting, that I had to rid myself of a prior prepossession in favour of the negroes, ere I could calmly and impartially adjust the conflicting merits of the question. For some period antecedent to my arrival in the island, the new institution of "apprentissage" had replaced the ancient system of slavery, and the arbitrary power of punishment before vested in the proprietor, had been completely annulled, while the "Judge special," an officer of new creation, was appointed to hear and decide on the complaints of the "apprentis" against his master, as also of the master against his "apprentis." The irregularities of the planter and the delinquencies of the noir, were thus subjected to the same tribunal, and conviction was followed by a proportionate punishment to the guilty.

That the "habitans" should have regarded this new court, which arrogated to itself the privileges they had once enjoyed, with jealousy and alienation, is at least natural; but that it should have been on the whole distasteful to the negroes, for whose peculiar favor and convenience it was instituted, may seem unaccountable,—but is not the less an indisputable fact. This is owing to the greater severity of the punishment awarded by the magistrate, than that formerly inflicted by the proprietor for offences of the same degree.

It is notorious that the punishment a slave formerly incurred from his master for a grave felony, was little severer than that inflicted by an European pedagogue on a truant schoolboy. To illustrate what I believe to be the prevailing feeling of the "apprentis" on this subject, I shall insert verbatim a fragement of a dialogue between two negro women, as overheard and reported to me by an English gentleman long resident in the island. "Fine times these!" commenced one. "Now, if we are impudent, grave mauvais raisons to our mistresses, we are punished more severely than formerly when convicted of a theft. I was impertinent to my mistress, a few days ago, and she sent me before the magistrate, by whom I was sentenced to a fortnight's imprisonment. When I was released from prison and sent back to my mistress, I said to her, when next I am impudent, beat me, then we shall be quits, but don't send me again before the magistrate; there you have it all your own way and I am the only sufferer."

Yet the transition state of "apprentissage," must be regarded on the whole as a very imperfect preparative for the rights of citizenship. Still residing in their camps on the proprietor's estate, still exchanging the product of their daily labour for the accustomed rations and wages, still tended when sick by the district surgeon, not to omit the imperious influence of habit, I feel convinced that by far the greater proportion of the negroes recognize no essential difference in their present condition as "apprentisses," and their former as slaves. In point of physical comfort and accommodation, their condition, as compared with that of a large proportion of our agricultural labourers and artizans, is enviable indeed. The sleek appearance, and gay "insouciance" of the majority of the "apprentis," suggest a natural and vivid contrast with the disease, dejection and misery so widely impressed on the population of our manufacturing towns, and make one feel more sensibly the touching truth contained in Lord Brougham's ironical admission:—"The consistent friend of humanity may be permitted to feel some tenderness for his European brethren, although they are white and civilized!" That a surplus remains to the negroes above what is necessary for their subsistence, is manifest from the personal property in the shape of furniture, &c., that many of them accumulate in their huts,—from the live stock, such as pigs, poultry and pigeons, that they are enabled to rear, as also from the costly "materiel" of which the negresses' dresses are frequently composed, and the rings, bracelets, &c., with which they decorate themselves.

That the expensive tastes of the African beauty, are often supplied from other funds than those of the husband, I am perfectly aware; yet if it be shown that Cæsar Borgia has presented Diana, the spouse of Adrian, with a tortoise-shell comb, while Adrian has won the good graces of Isidora, the wife of Cæsar Borgia with a coral negligee, the same

conclusion will be arrived at as if the toilet and bijoutoir of both negresses had been supplied from the pin-money allowed them by their husbands

The two most predominant features in the character of the Mauritius negro, are idleness and dishonesty.

I need not the support of such authorities as Buffon and Montesquieu, to fortify my assertion, that all men are inclined to idleness, that the natives of the Torrid Zone are more peculiarly susceptible to its influence, and that its sway is most intensely felt amongst the inhabitants of a tropical country, who have not yet emerged from barbarism The latter is precisely the state of those African countries, which have constituted for three centuries the "officina servorum" to civilized Europe. Some have thought that the negro's innate aversion to labour, has been strengthened by the compulsory labour to which he has been subjected in slavery; yet this opinion is rather invalidated by the notorious idleness of the enfranchised of the Mauritius, as also of Sierra Leone.

Mr Ludlam, Governor of Sierra Leone, after eight years' residence in the country, records his opinion of the affranchis, in the following unequivocal language:—"No visible effect has taken place in consequence of the abolition, except that it has added to the natural indolence of the native." That the vices observable in the blacks of the Mauritius, to which may be added a sanguinary ferocity, are common to the African in his indigenous barbarism, and not deducible to colonial slavery, is evidenced by the coinciding statements of travellers, governors and envoys, who have visited the independent states Western Africa. In a letter from an English officer from Cape Coast Castle, in the year 1815, there occurs the following forcible observation:—"A state of society more miserably dismembered, and in which the elements seem less capable of combination, can scarcely be imagined. Europe might be rebarbarized, before Africa could civilize herself." The pages of Barbot de Maria, Francis Moore, Dalziel and others, abound with repulsive anecdotes, and harrowing details, of the dishonesty, cruelty and perfidy of the indigenous African. But I abstain from pursuing this branch of enquiry, having merely proposed to myself to describe the "apprentis" of the Mauritius, not the aboriginal free savage of the continent. The nonchalance and reluctance, with which the "apprentis" almost unvariably labour, must strike the most superficial observer. Whether the stable, the workshop, or the cane-field be the scene of his exertions, it is evident that there are two strong inherent principles warring in his breast, the love of indolence, and the dread of chastisement.

The following are a few out of numerous instances of negro idleness, extracted from a pamphlet on the "affranchis" of the Mauritius, by a Monsieur Bernard. The author is a planter, and the theory which he endeavours to support, will be met by the trite, though not powerless, "*vous etes un orfevre, caz.*" The facts which he details, however, are incontrovertible, and strictly harmonize with others of a similar tone, which have been furnished me as well by the non-proprietor of slaves, the adherent of the Jeremy as of the D'Epinay faction.

"Il y a des noms qu'on n'a jamais pu attacher au travail. On avoit un esclave, qui dans l'espace de 27 ans n'a pas travaille 18 mois pour son maitre. A peine rentre d'une marronage de plusieurs mois il repartait, allait defoncer quelque case, volait des vivres, des volailles, des effets, tout ce qu'il pouvait trouver a sa convenance; et pour couronner l'oeuvre, il se rendit au bureau du protecteur, et la debitait contre les calomnies les plus affreuses.

Dernierement ce miserable revient, d'un long marronage,

"Ah, te voila, lui dit son maitre, eh bien! mon Garçon, que veux tu que je fasse de toi? quelle a eté ta conduite jusqu'au present? Quelles services m'as tu rendu 27 ans que tu m'appartiens? et pourtant quels reproches as tu a me faire?" "Vous avez raison, Monsieur, reprend le noir je n'ai pas a me plaindre de vous; c'est moi qui suis un grand coquin, un grand scelerat, et je suis moi meme etonné que vous avez souffert aussi patiemment tout ce que je vous ai fait. Si vous aviez ete un autre maitre, il y' a long temps que vous m'auriez donné un coup de fusil, car je l'ai bien merité. Mais puisque tu conviens que tu t'es si mal conduit, comment as tu pu aller porter tout ces plaintes contre moi a la police, et chez M. Thomas?" "Je n'en sais rien. Que voulez vous que je vous disse? Je crois qu'il y a un diable qui me pousse a faire tout ca." Les aveux etaient le chant de cygne. Le malheureux va trouver Madame M. lui demande un livre de riz. parceque dit il, il ne peut pas, ou ne veut pas manger de maniac, recoit son riz, quitte de nouveau la cour de son maitre, et meurt cinq ou six jours apres chez l'assistant Protecteur. Ce noir, pendant sa vie, avoit manqué a tous les devoirs: il avoit fait peut ôtre mils vols dont quelques uns, assez considerables, puisque il avait enlevé jusquau des boeufs: il avait porté contre son maitre les plaintes les plus calomnieuses. En France ou en Angleterre, il fut, sans doute-mort au bagne ou sur l'echafaud. "Un tel, disait l'autre jour une dame a son domestique noir de Gouvernment, je vais a la campagne, vous me rejoindrez demain a C. car j'aurai besoin de vous. Non Madame! Comment! non! et pourquoi? Parcequ'il ne me plait pas de quitter la ville. Eh bien, dans mon absence, vous ferez telle chose. Non, vous allez prendre vos plaisirs a la campagne, et moi aussi je veux me promener pendant que vous ne serez pas ici. Mais vous etes un impertinent; je vous ferai punir. Vous l'aves deja fait. Qu'y avez vous gagnée? En etes vous mieux servi,

et, &c." Et le noir n' a point ete rejoindre sa maitresse, et le noir a fait ce qu'il a voulue.

Un des plus grandes plaisirs des noirs c'est d'avoir toujours du feu dans leurs cases, qu'il fasse chaud, qu'il fasse froid, s'asseoir au pres de quelques tisons est pour eux un besoin, pour ainsi dire de la premiére necessité. On seroit naturellement porté a croire que pour satisfaire ce besoin imperieux aucune peine ne doit leur couter; ainsi on pensera que l' esclave doit profiter avec empressement de ses heures de loisir pour aller chercher de bois qu'il devra consommer dans la soirée. Mais la provoyance est encore une de ces vertus que les noirs ignorent entiérement Ils ramassent a la verité des morceaux de bois qu'ils trouvent sous la main, en travaillant pour leur maitre: mais s'il faut qu'ils aillent un peu loin pour s'en pouvoir, ils ne feront pas le sacrifice de quelques uns de leurs momens d'oisiveté, dussent ils en souffrir. Cependant la nuit vienne, ils sont sensibles a cette privation, de feu et surtout de la fumée. Ils font alors, quelques efforts pour trouver des combustibles, dans ces instans, tout leur est bon, et le bois, qu'ils peuvent obtenir sans peine, devient bientot la proie des flammes: la charpente d' une maison, d'un pavillon, que l'on aura deposée pres de leur case, le manche d' un instrument aratoire, des parties de meubles même, rien n' est sacre pour eux. Ils ne pouvaient ni causer ni dormir, s'ils n' etaient environnés d'un epais nuage de fumée On a vu des noirs habitant la campagne aupres d'un verger d'une foret, ou d'une terre en jochere, finir brûler les materiaux, qui composaient leur case, plutot que de se donner la peine d'aller a quelques pas de leur demesne chercher du bois de chauffage qu'ils pouvaient trouver facilement.

The innate dishonesty of the aboriginal African, so far from degenerating, has sprouted into rankest luxuriance under the shade of colonial civilization, nor can this be matter of surprise to one who considers the character of the change which has resulted from their connection with European masters. While their intellectual capacities have remained uninformed, and their crude moral notions uncorrected, they have simultaneously acquired a taste for the luxuries and physical accommodations of civilization, and a cunning and adroitness which qualify them par excellence in the pursuits of illicit appropriation. They possess at least one point of analogy with the persuasive orator of Pandemonium—

> "To vice industrious, but to nobler deeds
> Timorous and slothful.

Let not the reader imagine that their thieving exploits are confined to the timid and occasional abstraction of provisions and necessaries, and the commission of single-handed larcenies. Oh! no, the infirmity of noble minds induces them to spurn so ignoble an arena. Specie, plate, the bureau, and the "cassette," excite and reward their aspiring audacity; and in gangs of twenty and thirty, they have broken into extensive premises at night, and in an incalculably short period disembowelled them of every thing not utterly worthless. For myself, I was so fortunate, although keeping house in the country for five months, to escape with the loss of a few articles of saddlery. I must allow that my groom, who was the delinquent, was the only negro on my establishment I dismissed him from my service for incorrigible carelessness and remissness, and being of an affectionate disposition, he took away with him, merely as a "souvenir," two bridles, one or two horse blankets, and other stable gear. Some friends of mine, who were keeping house conjointly in Port Louis, were far from being so fortunate. Two of their domestics, one of the name of "Eveille," (the smartest and most intelligent creole servant I have seen in the island, and who would have been a promising pupil of the immortal "Scapin") had been detected in a deep laid consecutive system of promiscuous robbery from wardrobe, store-room and cellar, by means of masterkeys. They were apprehended, tried, convicted, and sentenced to a long imprisonment, but not a particle of the stolen propeity had been recovered prior to my departure from the island. Port Louis, I may here observe, in the number of receiving houses for stolen goods that it contains, holds out tempting facilities to the commission, and no less formidable impediments to the detection of theft. Dishonesty is not confined to the adult blacks. At the early age of three and four some of the negro children manifest "d'heureuses dispositions" for the act of appropriation; and the effrontery with which they will deny the charge, when all but taken in the theft, would tax the penetration of the most experienced advocate, even him who has been accustomed to cross question alibi witnesses on the Irish southern circuit. The following anecdote of juvenile depravity is extracted from Monsieur Bernard's work.

"Un juvenile domestique de huit ou neuf ans, volé une paire de boucles d' oreille a sa petite maitresse Tout portait a croire qu'il etait le coupable: car les boucles etaient la, il n'y a quelques minutes, et lui seul est entré dans l' appartement. On le questionne, on lui promit qu'il ne lui arrivera rien, s'il rend les objets: il soutient avec assurance qu'il n'a pas vu les boucles, qu'il ne sait ce qu'on veut lui dire."

Il fait des sermens, il prend le bon dieu a temoin de son innocence; on seroit vraiement porté de croire qu'il est accusé injustement.

Mais le maitre arrive; on lui raconte le fait. Le maitre qui ne veut pas que de semblables objets se perdent chez lui, et sent qu'il y a des voleurs parmi les domestiques, interroge le petit noir, l'intimide, le menace; mêmes reponses de la part de celui ci; mêmes denegations, mêmes juremens sur la tête de son pere, de sa mere. Enfin le maitre s'empare d'un martinet, il va frapper, le petit voleur rend les anneaux.

Lying and ingratitude, are also prominent traits in the noir of, the Mauritius. The former may be regarded as the almost necessary sequence of their idleness and dishonesty. Their social position is indeed eminently calculated to foster this vice. Ever self-conscious of sins, as well of commission as omission, and by consequence apprehensive of merited punishment, when interrogated on any subject, they shelter themselves, if possible, in utter ignorance. If charged of any speech, or action, whether praise-worthy, indifferent, or improper, they deny it plumply, on some rare occasions depriving themselves of a just approbation, but far more frequently evading a deserved chastisement. Finding that they are on the whole the gainers by this line of conduct, i. e. that by denying what is, they generally succeed in screening their derelictions—by a jump—which to a negro intellect is by by no means a despicable one, they venture to put to the test the expediency of the converse rule, affirming what is not, until they at length become on all occasions habitual, and gratuitous perverters of the truth. As for the sentiment of gratitude, it is almost an exotic in negro bosoms. The marl which encumbers, but enriches not the barren moor; the blessed rains of Heaven, which water, but do not fertilize the desert lands, are but too apt similitudes of the charity, kindness and tenderness, which in many signal instances have been idly lavished on the members of this thankless race. The following anecdote from Monsieur Bernard's work is a striking illustration of what I have advanced:—Monsieur S—— avoit reçu un cadeau d'une tante qu'il aimait beaucoup, un jeune noir domestique fort intelligent; il avait pour ce noir des attentions, des egards, que l'on si a certainement pas en Europe pour les domestiques; il poussait la complaisance jusq' na vouloir qu'il fut toujours vetu aussi proprement que peut l'être un personne libre, et tous les dimanches il lui donnait quelque argent.

Ce mauvais sujet peu sensible aux bontés de son maitre l'en payait par l'ingratitude: chaque jour il lui faisait des vols plus ou moins considerables, a l'aide de fausses clefs qu'il s'etait procurés. Ce noir le fait une blessure: il est pris du tetanus Pendante quarante cinq jours que dure sa maladie, on lui prodigue des soins les plus assidus; ce sont les maitres eux mêmes qui le veillant, qui pansent sa plaie; qui lui font rendre des potions. Enfin il se retablit ap es avoir coute a M—— T—— en frais de medecin et en medicamens environ 150 Piastres.

Dés que ce noir peut marcher, il demande a sa maitresse une piastre pour faire dire une messe en actions de graces, et remerciemens pour sa guerison. On lui donne cette piastre: il se rend en effet a l'eglise, entend la messe, dite a son intention; mais a peine sorti de la maison de Dieu, a peine arrive chez son maitre, qu'il vole deux bouteilles de vin. On peut raisonablement supposer que ce noir ne se fit pas scruple de commettre un vol plus considerable, s'il en avait trouvé l'occasion. Le malheureux, il ecchappoit des bras de la mort, et il venait de remercier Dieu de son retour a la santé.—"Naturam expellas furca, tamen usquerecurret."

Such being the prevailing moral features of the men, it would be unreasonable to look for decency, far less "virtue's painful endeavor," amongst the women, or, as Mrs. Trollope would designate them, the females of the sable family. From early youth the negresses abandon themselves to the most shameless sensuality. Concubinage (this may be partially referable to the numerical disparity between the sexes, the proportion of women to men being only as 60 to 100) is fearfully prevalent and leads to that lesser species of infanticide, the procuring of abortions by self-administered drugs. It is impossible to overlook the fact that public opinion is utterly powerless amongst the noirs, and that the most glaring and convicted criminality on the part of the negro, and the most systematic and unblushing licentiousness on the part of the negress, in no degree detract from their consideration in the eyes of their comrades. To pass from the graver to the lighter traits in the negro character, they are generally distinguished by an animal hilarity and good humoured levity, the result of climate and physical temperament, which is at first sight prepossessing. The naivete of their expressions, the suavity of their tones, and a superficial polish of manner, are more or less attractive to the stranger. Those qualities are more peculiarly characteristic of the blacks born in the island, the creole noirs, who comprize nearly all the household servants, and possess far more intelligence and address than the Caffres and Malgaches. A bright sky, transparent air, and a temperature bland for an inter-tropical one, would seem to exercise auspicious influence over all cradled in this charming island, and one might be tempted to apply to the Isle of France, the observation of a shrewd Italian with reference to Naples, "Sotto questo cielo non nascono sciocchi." "Fools are not born under these skies." The organ of imitativeness is largely developed in the creole noir. The mocking birds of civilization they copy what is least worthy of imitation in the "jeunes gens," of Port Louis, their foppishness, their prominent "suffisance," their "a la mode" oaths, and the "eclat" with which they dilate on their real or fictitious "bonnes fortunes."

They have a keen perception of the ridiculous, and are rapid in detecting any personal peculiarity, defect, or humor, and their mimicry of Les Anglais may be recommended as an infallible remedy to any hypochondriac of

"The inviolate island of the sage and free."

The love and the taste for music and dancing, which is common to all the natives of the island, is shared by the creole noir, who is fully as much addicted to the violin and guitar, the dissolving waltze, and animating gallopade, as the French aristocracy of the capital.

I have often been struck by the correctness with which the negro lad, sauntering in the evening through the "Rue de Kempart," or "Champs de Mars," would hum or whistle airs from William Tell, Zampa, the Fra Diavolo, or some other popular opera. The passion for dress, which is a distinguishing characteristic of the colonial French-woman, is indulged in with equal ardour, though with inferior means, by the creole negress. The indegenous patois is a most corrupt jargon, and would drive the pupil of Malherbe, to distraction, being grammatically and idiomatically incorrect, and barbarized in pronunciation. It was some time before I became entirely familiarized to the classical, romantic, grandiloquent names which are almost invariably conferred on the blacks, or could view without ludicrous associations, a Maria Theresa carrying eggs or plantains to market, a hobbledehoy Numa Pompilius escorting a dowager, low from the country, a Venus personified in an aged, hunch-backed, obi-like looking hag, and an Adonis, no counterpart of him

Bowaked in arsenous dithes all a summer's day

but approximating in face and form to Arnald the deformed before his transformation, or the ineffably hideous Afrite Sorecter of Vathek. I have giving the creole noir the preference on the score of intelligence over the Africans and Malgaches. The Africans, who possess a more vigorous conformation than the two other branches of the sable family, are best adapted for, and almost universally employed in, agricultural labours. Unlike the vain creoles, they are careless to a fault on the article of dress, their huts are destitute of the commonest convenience, they are as *dirty* in their habits as the cottagers of Glenbarnie, and very generally addicted to drunkenness. Low in the scale of humanity as are the aborigines of new Holland, it is but a thin partition, which separates them from the African apprentis.

When they have completed their automatic labours, they either bask in the sun or crouch together in the smoke-misty atmosphere of their huts. That they have souls, I believe as firmly as uncle Toby did, but assuredly they are such as "can scarce ferment their mass of clay." The half reasoning elephant, standing under the shade of the rustling peepul, and fanning his languid forehead with a plaintain leaf, indolent, yet restless in his indolence, will, even to an unfanciful view, convey the impression of an "Ennuye;" but who could suspect that that dreadful yawn which sleep cannot abate, "had ever irritated the drowsy, duck-weed stagnation of the Caffre's existence. The Malgaches, if inferior to the Creole in intelligence, are apter and more ingenious than the Africans. They have more taste than the latter for the conveniences of life, and amongst this class are to be found the best island mechanics, carpenters, blacksmiths, &c. The intercourse of these three species has, in some degree, modified their distinctive habits, and tastes, as, for instance, the creole has acquired the language and national dance of the African, and has imparted to him in return, his proper patois, and the music of Europe; but the leading characteristics of their disposition have been affected to no material extent. I now proceed to review the condition and character of those negroes in the Mauritius, who have been admitted to the full privileges of liberty.

The radical vices of the noir, indolence and dishonesty, are even more pronounced in this class than amongst the apprentis.

It is rarely that any cultivated land is seen in the vicinity of an Affranchi's hut, or live stock, such as sheep and cows; in either case, it may be safely inferred that the Affranchis possesses one or more slaves.

If asked, says, Monsieur Bernard, why he leaves his land uncultivated and does not endeavour to better the condition of his family, he will answer you that, "il is a pas des forces," meaning slaves; so inseparable in his ideas is the connection between servitude, and labour.

How then, it will be naturally demanded, do they subsist?

Some employ themselves as fishermen; others support themselves by casual voyages as sailors. Some work as carpenters, masons, and blacksmiths, but having accumulated a small sum, remain idle till the spur of necessity obliges them to resume their abandoned occupations. A large proportion, however, who with a perverted pride contemn not only the subject of compulsory labour, but even Europeans, who fill domestic offices, or exercise a manual calling, betake themselves to the camp of the planter, and are not ashamed to sponge upon their unemancipated relations. But the profession which holds out most charms to them, is that of the unlicensed dealer. These are the owners of the shops for receiving stolen goods in Port Louis, Mahebourg, Flacque, &c. Such a state of things in any other country, would argue a criminal remissness on the part of the Police; but here, where by far the greater portion of the slaves, constituting nearly three-fourths of the population, are occasional, if not systematic thieves, and the unsuspected and trusted are generally in collusion with the plunderers, the difficulties thrown in the way of detection are almost insurmountable. I am sure at least that the epic invention, lynx-eyed penetration, and blood-hound pertinacity of "Vidocque," would find an arduous and worthy arena in the capital of the Mauritius. The following are extracted from Monsieur Bernard's "Essay." "Un gentilhomme Anglais offrait, il y a quelques jours, 10 ou 12 paistres par mois a un nouvel affranchis qu'il voulait avoir pour domestique. "Vous me servirez chez moi," disait il, "à cet hommo" "et lors qu'il m'arrivera de m'absenter pour un ou deux jours, vous me suivrez, et vous porterez ma petite valise.

Je porterai votre valise! repond L' Affranchis; non Monsieur, je suis libre, moi, je suis libre moi je ne suis pas fait pour porter une valise.

Un habitant de mes amis me disait: J' ai chez moi dn affranchis pour surveiller mes noirs: cet homme se croiyait deshonoré, si dans le moment le plus urgent: il mettrait une seule fois la main a l'œuvre. Quelquefois pour lui prouver que le travail ne saurait avilir l'homme libre, je me mêle a mes noirs, et je travaille comme eux. Ce malheureux sent tout le ridicule de sa position, il hesite: il ne sait s'il doit ou non suivre l'exemple que je lui donne; enfin son orgueuil et la paresse cedent; mais ce n'est que pour un moment; a peine l' ai je perdu de vue qu' il quitte l' œuvrage". If such be the condition of the comparatively small portion already enfranchised, it is surely natural to look forward with distrust and foreboding to emancipation, breaking its first flush on the slaves of the Mauritius. Is it possible that the most bigotted disciple of the optimist school, can anticipate that impending prospect, nor view some shadows of doubt and apprehension stealing over the sunny beauty of his ideal landscape? Are they, I ask, fit subjects for the precious, but in this instance perilous, boon of independence, who so far from being qualified to make a right use of the inestimable privilege, are literally unable to comprehend the meaning and force of the term? Slavery and labour are so inextricably intefwoven in their imaginations that they cannot conceive the coexistance of freedom and occupation; and the images, if any, which liberty suggests to their minds, are those of a sleeping, smoking, drony existence, interspersed with fits of revelry and riot.

It is a fact "notorious as the sun at noon day," that were the alternative of a state of slavery, if such were possible, involving utter cessation from labour, and of freedom conjoined with daily employment, presented to their choice, nineteen-twentieths would embrace the formor. I confess that for my own part, I regard the abrupt and unreserved emancipation of the blacks, with emotions analogous to those I should feel were the cells and gates of a populous bedlam suddenly thrown open, and the hallucinated inhabitants liberated from darkness and restraint. I am not one of the corps of alarmists, and my apprehensions in both cases, would have reference rather to the enfranchised maniacs and slaves, than the sane, and ever-free members of the community.

To remove the control and dependence which habit has made a second nature to the negro, appears to me a procedure of the same equivocal sagacity, as the suddenly depriving a rheumatic patient of his accustomed crutches, and requiring him to walk, or an inveterate opium-eater of his daily drug, and demanding of him his usual liveliness and hilarity. What then, will be the probable conduct of the numerous black population of Mauritius, when going to bed slaves at night, they awake in the morning free men? Is it reasonable to expect that indolent as they are, childishly reckless of the future, and intoxicated with misty notions of their new-found independence, they will, after two or three self-conferred holidays, when the ebullition of their delirium has subsided, tranquilly and regularly resume as free labourers, the employments they had exercised in a state of bondage? Philanthropic credulity may hug itself with the belief, that from the ashes of ancient slavery, the young Phœnix of liberty may arise full grown and full fledged, and vigorous of pinion, to cleave the limitless azure in his triumphant career, but the calmer anticipations of a distrustful experience may, perhaps, recognize the apparition of a midnight, morsing, owl, snatched from her "ancient solitary" tower, and let loose, a purblind, pitiable, and persecuted thing, amidst the reploring songsters, and meridian splendour of a summer sky.

But assuredly it requires not the gift of prophecy to foretell, that by far the greater proportion of the apprentise on attaining emancipation, will immediately withdraw their labour from the market, and leave unproductive "tamasis," till the whole of their earned or pilfered funds are consumed. Such an event occuring during the sugar season, would be fatal to the planter.

The evil has been apprehended, and may be in a partial degree provided for, by the import of labourers from India. Two thousand of the Dangga cast have, I hear, been already transplanted into the island, and the demand for them still increases. Their subsistence costs a third less than that of the "African," and if not quite so athletic as the Caffres, they are infinitely more willing and docile. Habit, too, may be expected to increase their efficiency in the plantations. Should this remedy, however, be inadequate to meet the consequences of emancipation, the prospects of the Mauritius are indeed dark and unpromising. What a vista of poverty, distress, folly, and crime, will then be revealed in that earthly Paradise! And what, it may be asked, are the feelings with which the planters project their thoughts into the near future? But before I reply to this question, as being in some measure relevant to the present subject, I shall not omit the opportunity of briefly recording any opinion of a respectable and calumniated body of men. I will concede to Sterne, that "slavery is a bitter draught." I will admit that St. Pierre may have sketched from the life the planter of the Black River

* It would be uncandid in me to conceal, that there have been, and now are, a few splendid exceptions to the dark and forbidding portrait I have sketched of the Mauritius noir; men whose benevolence, honesty, and affectionate attachment, show that education and circumstances are not all powerful, and that every where "the mind is its own place." My remarks apply to the blacks in general, not to the isolated exceptions "Cujus Titan præcordia finxit Meliore Luto."

to whom, in his exquisite romance, he has conferred a gloomy immortality; that it is even possible that two or three such may exist at the present moment, whose evil energies have, happily for their dependents, been fettered by the late measure of apprentissage; but that such monsters should have been received and accredited as specimens of a whole class, is a crying injustice. With a few exceptions, the planters of the Mauritius have treated their slaves with humanity, consideration and indulgence, and necessarily, if report speak true, present a very striking contrast to their West Indian brotherhood.

They are, moreover, generally domestic in their habits, given to hospitality, good humored and agreeable members of the social circle, shrewd and acute, and not rarely imbued with a love of literature and science. It is with alacrity that I here express my grateful sense of the kind attentions, and unostentatious heartiness of reception, that I invariable met with during my excursions through the island. If some of the "habitans" were lately betrayed into an intemperance of speech and demeanor not altogether justifiable, towards Mr. Jeremy and his satallites, let the peculiarly obnoxious position which that gentleman occupied, as Protector General of the slaves, be taken into consideration: let it be remembered how much the intrinsic odium of the office was heightened by Mr. Jeremy's unconciliating and violent deportment,—his arrival in the island, too, being but a few weeks subsequent to the importation of a pamphlet, which evidenced in the most unequivocal manner, his strong pre possessions against the planters. Lastly, let it not be forgotten, that the extent of the indemnity to be received by the planters, in exchange for their alienated slaves, was as yet unfixed, while the first menace of equalization of duties, was growling in the distant east. It must be allowed, that the rumour of faction, generated by highly excited feelings, and fostered by a press of unparalled scurrility, has exercised an inauspicious influence over society, particularly in Port Louis, where the distinction between Trojan and Tyrian is now markedly defined,—and that some of the French creoles, rendering us in some measure responsible for the unpopular acts of our Government, regard us with feelings of alienation if not in hospitality. This cloud on the social horizon, will, I trust, soon dissipate, and that, following the amicable example of the union in the father lands, the transplanted rose and lilly, will bloom together in unjealous beauty amongst the spring-groves of Cerne. No one who has resided for any length of time in the island, but must have been struck with the attachment, which the French creoles evince towards their native soil, and their uninquisitiveness to transport themselves beyond the blue, watery horizon that girdles in their beloved island. I one day called on a French lady in Port Louis, who mentioned that she had just received a letter from a creole correspondent then in Paris, who complained bitterly of being ennuye in the largest metropolis of Europe, and said that she was incessantly sighing after her dear Maurice. What then, can be a more convincing proof of the gloomy apprehensions, with which the habitans at large look forward to emancipation, than the resolve of many of them to transplant themselves from the soil in which their feelings, habits, and prejudices have so firmly enrooted themselves, and to exchange their tranquil independence, and genial climate, for the cold skies, but effervescing political atmosphere of France. Sincerely should I rejoice, if my forebodings were falsified by the result, that the same breath which can say to the slave "be free," could endow him with the qualities requisite for making a right use of freedom, and that the Mauritius, after the crowning measure of emancipation, should become the happiest of possible colonies. I have written to little purpose, indeed, if the reader should rise from the perusal of this with the impression, that I am an underhand advocate of prescriptive abuses, or would insidiously assume any necessary connection between the continuance of slavery, and the prosperity of our sugar plantations. The island of Puerto Rico, a colony of the most notoriously mis-governing kingdom of Europe, poor fallen Spain, affords a splendid illustration of a rich and flourishing tropical settlement, in which by far the larger proportion of the cultivators are free men. Emancipation unquestionably should have been conferred on all the blacks of the Mauritius unexceptedly, but not, I think, until after the lapse of a sufficient period, as duly improved, would have, in some measure, prepared them for this priceless but hazardous boon. Had a probationary period of twenty or twenty-five years been assigned in lieu of the present limited term of "apprentissage," the incorrigible elders of the present generation would have past away, and the infants of to-day, under a broad but simple system of education, might have attained to years of discretion, a very dissimilar race from their forefathers, and qualified to receive the blessing of which the latter were not found worthy. This system of education should have comprized practical agriculture, reading, writing, and the simpler rules of arithmetic, in addition to which the elements of morality, and the sublime precepts of Christianity, avoiding dubious and thorny doctrines, should have been timely instilled into their minds. To the few, who might be desirous of an ample range through the regions of knowledge, every facility and encouragement should have been afforded. So powerful an incentive as the hope of rewards, should not have been omitted, and premiums should have been awarded to excellence in the various departments of instruction.

A small spot of ground might have been bestowed on each head of a family, which under pain of disgrace and forfeiture, no

should be compelled to cultivate, and the institution of a horticultural society, similar to that of Calcutta, would have excited the industry and emulation of the negroes, and furnished the island, with that in which it is at present deficient, a copious and excellent supply of fruits and vegetables. Individual enfranchisement should have been, as here tofore, proposed as the noblest compensation for good conduct and desert on the part of the apprentis; but it should, on all occasions, have been reserved as a reward for tried merit, and unequivocal propriety of behaviour, not, as has been too often the case, conferred in partiality, or caprice, on the negative idler, or plausible knave. In order to rescue this boon from abuse, and invest it with added importance and lustre, it might have been made resumable in those cases, where the recipient, by his after conduct, should evidence that he had not been deserving of the favor.

The unworthy Affranchis would then revert to his former state of apprentissage, and thus to his fellow servants would have been afforded a signal illustration of the value and the sanctity of liberty. An analogous system has been pursued in our Australian Colonies in the institution of the ticket-of-leave. This indulgence is granted to those prisoners, who conduct themselves for a certain period with regularity and propriety, as assigned servants and labourers. If then after conduct as ticket-of-leave-men, gives satisfaction to their masters, after another term of probation, they are recommended to entire enfranchisement; but should their behaviour, on the contrary, manifest that they are unworthy of the indulgence bestowed upon them, they are reduced to the class of assigned convicts. This system has been attended with signally beneficial results in New South Wales, and Van Dieman's Land, which induces me to think that a corresponding procedure in the distribution of enfranchisement to the apprentis of the Mauritius, might have been fraught with similarly favorable consequences. There are some, perhaps, who may be offended at my recommending a trait of the policy instituted for the transported felons of England to the consideration of the legislators for the black population of the Mauritius. Had they visited, as I have done, both countries, and compared with unprejudiced eyes the character of the noirs and the convicts, their opinions would, I think, have undergone no slight revulsion, and they might have been induced to doubt if the generality of the Tasmanian and Australian prisoners, (I except of course those double-distilled villains, those finished graduates in crime, who are absorbed by the Iron Gangs of Port Arthur and Norfolk Island, the penal settlements within the penal settlements) were not on the whole more orderly and moral than the apprentis of the Isle of France.

Supposing that a plan, similar to my hypothetical one, had been put in practice, and that it had not,—which is certainly improbable,—been attended with even partial success, it would have been at least a matter of consolation for our law-givers, to reflect that they had adopted measures ostensibly calculated to produce the desired result, and that if as mortals they could not command success, they had done more—deserved it.—*Calcutta Literary Gazette.*

THE HINDU,—No. I.

In such a country as this, were the Europeans and the natives have been united by the ties of alliance and friendship, and are inspired with an avidity to know sufficiently of each other, it will not, I hope, be thought uninteresting by your readers, to furnish you from time to time, with an account of the domestic manners, habits, usages, and the notions of the Hindoos,—a subject which not only remains to be fully developed for adding to the stock of information of the *literati* of this metropolis; but is exceedingly fertile of speculation and amusement. In imposing this difficult task upon myself, the great thing that I wish to attend to, is an adherence to facts. It will not be my business to luxuriate in the fascination of poetic fiction or embellish my sketches with ideal excellencies. I would rather like to be simple and perspicuous than soar for sublimity and pathos to the Parnassian mansion of the nine or disturb the calm and majestic Helicon for flowery tropes and exuberant thoughts. Should a regard for truth oblige me to be indelicate here and there in my expressions, let not my gentle and fair readers take any offence. I, however, beseech them to cheer me with a golden smile and overlook any faults that I may unconsciously commit. But what shall we select as the beginning of our dissertation? Why the women of course; and though the age of chivalry is gone, and that of philosophers and cold calculators is come, yet when a *Dulcinea*, the mere creature of a perturbed imagination, could rouse a hero to devote himself to her honor by sallying forth in quest of new adventures and exploits, armed with a lance and a target in hand, and brave every battle and danger in the flood or field, what will the modest and the blushing women of Calcutta think of us if no effervescence of feeling or burst of

enthusiasm be evinced for them? Come then what will, we are determined to dedicate ourselves first to their cause:

Earth may hide, waves engulf, fire consume us,
But *none* shall now be able to shake us.

However true it may be, that the mighty fabric of ignorance, which had reared itself from time immemorial in this ill fated land, has begun to dissolve, and the effects of mental illumination are visible in some parts, yet those who have accurately observed the characteristics of the Hindu women, must admit that their condition has been little ameliorated, either in an intellectual or moral point of view. It may be that some of them are endowed with attractive qualities, but that their actions, habits, and principles are grounded upon superstition, and that their tastes and notions of beauty are ludicrous and unrefined, is what appears to me as indubitable as a self evident proposition. The religious prejudices which have been suffered to twine round them [illegible] from infancy, are the bane of every improvement and can contribute to nothing but the perpetuation of their degraded state. The ridiculous ceremonies which they are taught to observe, and the antiquated customs which they idolize, do not only afford evidences of their inability to reason, but are serious impediments, to their ascending in the scale of civilization.

Instead, however, of exhausting here my strictures at once, I would reserve them for proper places, and would, therefore, divide the Hindu women into three heads, viz., the unmarried, the married, and the widow.

First then with regard to the unmarried women. It is perhaps known to many that the Hindu society consists of several castes, almost all of whom have made it a point to get their daughters married before they arrive at the age of puberty, and if in any instance the rule is violated, the shaster teaches that the fourteen successive ancestors of the parents of the girl, whose marriage is thus neglected, shall have to feel hereafter the horrors of hell and receive a condign punishment for their crime. The Coolin Brahmins do not pay much attention to this ordinance, though it is by their race that it has been fabricated and ushered into the world. In such matters as these they are more disposed to observe their family distinctions of *kool* and honor their religious precepts. They would rather suffer their women to remain unmarried till they are grey with the hoar of years, than submit to marry them to men who are not distinguished Coolins. The happiness of their females is no consideration with them, kool being the goal of their ambition and glory. I have been told by some persons that in these cases where healthy men for bridegrooms have not been found, the sick and the dying have been selected for the purpose, and many a girl blooming with beauty, and bursting with the flushes of joyous youth, has been dragged to the dreadful verge of the *Shurhan* and there commanded to celebrate her nuptials with such as were preparing to go to that "bourne whence no traveller returns." It is, however, a happy thing, that the other castes do not follow this hideous practice. They marry their females at their odd years, and always consider the ninth and the eleventh as the marriageable age. But how is the match-making effected in this country? Is it by *free will* or by *necessity*? Oh! the Hindu females are very wretched, indeed this respect! "They are quite strangers to puffs patches and billet doux." They are cribbed and cabined in kitchens and pigeon holes, where they busy themselves in combing their locks with molten wax and admiring their own beauty, having a looking glass before them. They are not allowed to attend any ball, masquerade, or theatre when they might, to see "Captains, Colonels, or Knights in arms" or the facetious gentlemen of the bar nibbling with the haughty civilians, and the thoughtful merchants reciprocating civilities with each other. They have no opportunities of carrying on the *starting* and the *glancing* negociations of love or of rustling in silk and satin, in barouches and phaetons with men to try their hearts by the touchstone of conversation. They have no albums to inspire any hooks or possess any knowledge of the philosophy of love making. Marriage then, by free will, is quite out of the question. It is their parents who look out for their matches, and situated as they are, they are compelled by necessity to accede to their wishes. Oh what a capital way of match-making this is! How openly do the Hindu lads and lasses carry on between them a free trade in their thoughts and feelings! How unrestrained are their likings and dislikings!

But let us open the curtains of secrecy at once, and see how are they employed till the hymenal torch is lighted upon them. Oh! here lies the very marrow and pith of the tamasha! Would I had the head of a Cervantes!—but vain is that aspiration, so let me jog on in my usual way. The bonny misses of our country are full of *fanciful* customs. The programme will rather be dry: gentle readers, have patience and follow me. To propitiate the god of death and prevent his inflicting any punishment hereafter on their brothers, to-be husbands and their parents the merciful misses of the Hindoos dig out every year, in the month of Kartic, small tombs of one cubit long and placing around them some statues of clay as the representatives of those persons, consecrate such tombs to the awful *Jumma*. This is certainly the most efficacious way of cultivating friendship with the god of death and securing the means of receiving future rewards! In the month of Agran they draw on their terraces, sketches of houses, gardens, temples, birds, the images of gods, and all the ornaments used in this country; and when the bright luminary of the sky pitches his rosy pavilion in the west, they go then, accompanied by an elderly woman, with some grain

and grass in hand, and putting these holy things upon the paintings, one by one, express their wishes and aspirations regarding the married state. Those who have no brothers are taught to form small balls of dung and chaff and mutter some spells that their fathers may be soon blessed with sons. The means which they apply to supply their fathers with water hereafter, is by making themselves stand in tanks in the month of Maug and not coming home until their brothers go there and bring them by the hand. The precaution which they take against their nails being spoiled by any disease, consits in suffering them to grow for a fortnight and cutting them in the month of Choitro in the midst of some married women, who make it their principal business to throw upon the lovers of this custom pots of jaggery and fruits. The misses are also in the habit of worshipping cows with pounded turmeric, flowers, grain, and grass, being deeply impressed with a conviction, that this will entitle them to go hereafter to the hallowed empire of *Krishna*. In addition to these they perform many other ceremonies of a similar nature, and miserably spend all the days of their youth. The advices which they receive from the Brahmins and the religion which they are taught to profess, are not only detrimental to their imbibing any liberal sentiments but, are totally destructive of any attempts that may be made to awaken in their minds a desire to receive the blessings of knowledge. Such reflections as these are too painful to patriots and philanthropists. We hope, however, that these absurd customs will not long exist in this land of darkness and that "bright improvemen will soon come on the car of Time."

P.

Calcutta, 2d April, 1837.

[*Englishman.*

No. 2.

I continue my remarks on the Hindoo females.

The married women of the Hindoos are a set of curious beings. As soon as the nuptial day passes away, their souls become entranced in a multiplicity of pleasures. Then is the time for them to learn all those arts that may heighten their fascinations and captivate the hearts of their husbands. Then is the time for them to polish their locks with molten wax; to adorn their noses and foreheads with thick spots of ink and red-lead; to beautify their persons with powdered turmeric; to deck their necks with garlands of flowers, and make their lips and teeth by *meesee*[a] as black as the wing of a raven. Rose-water, attar, *methagoosa*,* and a variety of other rare things are then lavished to impart to their hair with fragrance, and no means remain untried to monopolize all the love and affection of their esteemed lords. In order to combine in them all the charms of beauty, they glow with the ambition to be laden with "barbaric pearl and gold," and are seldom found sighing for cheeks of roses, eyes of stars, bosoms of ivory, lips of ruby, voice of cuckoos, or for any other dear object of poetical aspiration in which the thoughts of many English ladies are absorbed. Nothing can be of greater moment to them than to sparkle in gems and jewels, and as long as they are not decorated from head to toe with all the ornaments of the country, their greedy desires and vexatious requests are unsated. They are always wrapt in black or red bordered *sarees*, usually of ten cubits long, and have nothing to do with trowsers, sashes, gowns, or bonnets. Whenever they have to go to any of their relations' houses, they are sure to be attired in the finest clothes of *Dacca*, whose gorgeous trimmings loosely flow in the air, while they move all veiled with measured steps. Very few of them are to be found to possess sociality: their flashes of wit degenerate into levity; and the jokes which they crack with each other, border in most instances on indecorum and indecency. Those who are capable of reading their vernacular language, amuse themselves sometimes with the voluptuous poems of *Bedda-soonder and Chunder-kant*, but those who have no knowledge even of their own alphabets sadly spend their days and nights with gabbling and gambling.

When any girl of a respectable family reaches years of puberty, how hearty are the cheers and congratulations of her parents and relations! *Gaumlahs* of the mixture of pounded turmeric and chunam are being prepared, the women of the house give up themselves to revelry and merriment, and dirty each other's clothes with this disagreeable stuff; messengers are also sent with pots of oil, betel, *attah*,' and other accompanyments of a festive nature to all the gentlewomen in the circle of their acquaintance, to invite them to witness the celebration of this felicitous event; and the girl, who is the source of this world of pleasure, is instantly put into a sequestered room in the middle of four split bamboos, two cubits long, placed upon lumps of clay, with slips of dry palm-leaves stuck on the tops, and a fine long thread flung around. A glimmering taper stands before her; the face of a man she is never permitted to see; and should she chance to do so while in this state, the life of him who is thus seen is sure to be shortened. The meal which is allowed her to eat, consists of a little quantity of the refuse of rice boiled with milk and jagery.

The sprightliness of youth takes leave of her future, and "confined and fettered in this penfold, there she strives to keep up for four days a frail and feverish being." But when the fifth comes, who does not exclaim "welcome, song and welcome jest?"

[a] A fragrant stuff for the hair.

* A pink dye made from the red wood.

An entertainment takes place when hundred of the invited ladies—"white, black, and grey, with all their trumpery," and elinquant and glittering with magnificent diamonds, emeralds, and rubies, pour in, in an endless succession, to partake of all the conviviality usual on this joyous occasion. Couches and chairs are placed for them in a large canopied compound, and as soon as they are all seated, a dozen or two of female songsters and tom-tom-beaters are desired to display their proficiency, when these votaries of music become so animated and enthusiastic for fame and glory, that they torment their very throats and hands with excessive bawling and beating. They are generally divided into two parties, each trying to excell the other by the dint of indecent dancing and *cobies*, replete with abominable vulgarity, all of which is perhaps considered as the *food of love*. After this tamashaw is over, the nearest relations of the imprisoned girls perform a dramatic piece. A representation of a tank is made, near which one of them sits, "high on a throne of royal state," while the others, as her aides-de-camp and constables, wait around. But the play becomes a dull monotonous thing, and appears more like a colloquial twaddle than any thing else. There is no procession or cavalcade, no march of soldiers, no flourish of trumpets, no battle of heroes, no sacking of towns, nor the assasination of kings. These lovely amateurs are not fond of such theatrical charms as these. What tickles their fancy the most, is to spurn the dim horizon of probability at once, and wander unconfined on the regions of delusion. They assume that the girl in commemoration of whose maturity the feast is given, is "as ladies love to be who love their lords." They here bawl out a rigmarole "full of sound and fury, signifying nothing" and bringing before them a thick piece of stone, (nora) they simultaneously raise a cry "lo here appears the wished-for son!" One of them then plays the part of a midwife while the female songsters resume their songs, and the whole stage rings with joy and benediction. The hour of entertainment then draws on a pace, and the facetious invited ladies, sitting cross-legged on the floor, regale themselves at last with a variety of sweetmeats. But as the day steeps itself in the soft shades of twilight, the throng disperses, all the pomp and parade fade in a total evanescene, and the place which was but half an hour ago the receptacle of beings breathing such divine, enchanting, ravishment, grows dark and looks like a cloudy sky bereft of its stars.

In the course of a few days a very important ceremony is performed. The happy girl and her husband are taken in an open place of the lower part of the inner aparment, where a barber is desired to cut their nails and adorn the feet of the young lady with red streaks of *alta*. They then beautify their persons with the powdered turmeric and oil, and after bathing in a little spot surrounded with four plantain trees, get themselves dressed in *bhalees* of deep crimson hue. The young gentleman puts on his head a light white hat of comical shape (topore) and stands encircling with his hand the breast of his "bosom friend," whose veil glitters with a quadrangular ornament of *sola*, and is suffered to descend as a mark of modesty no less than two cubits long. Such a spectacle as this never fails to draw near it a concourse of men and women, among whom the matrons of the house come forward before these tender objects of their affection, and wish them joy and prosperity by a variety of contortions of their hands, and shaking before them every now and then a brass plate of diversified cones formed of pounded rice, lamp-black, and red lead. After an observance of these rites, the *happy* pair are conducted to an adjoining room, where a couple of family Brahmins (*poorohits*) seat themselves on pieces of *dhsones*, and having before them flowers, grass, grain, *pootees*, and bosas and bosees,—the implements of religious warfare,—commence chanting lots of *munters* to re-unite this girl and young esquire with the ties of marriage. The ceremony is hence denominated *poonoobibhho*, or marriage celebrated again, and has originated from a notion, that when a girl attains to womanhood she is no longer immaculate, and must be a different being from what she was. But let us come to the epilogue of this *farce*. As soon as the chattering of the Brahmins is over and the flowers with sandle are flung around, the happy pair stand close to each other in the midst of a number of spectators. Here the young gentleman performs the part of a lover; but not by "sighing like a furnace with a woeful ballad, made to his mistress' eyebrow." In obedience to the injunction of the *holy shaster*, he partially undresses his beloved wife, and placing his hand with a golden ring upon her abdomen for a few moments, *heroically* throws it on the ground. Should this ring fall on the right side, it would be a sure prognostication of their having a son as their first issue, but if on the left a daughter. When the celebration of this *poonoobibahe* comes to a close, their wearing apparel is tied together; a number of statues made of pounded rice are held before them as their-to-be progeny, and as they go upstairs, the wife throws away all her fictitious sons one by one, while the husband regardful of these *serious losses*, busily saves them from being crushed to death. They then come and sit down on a mussnud and spend a little time at playing of *bowries*; but when night advances on her ebony car and the sky all serene and blue, "seems like an ocean hugh on high," how rapturous must be the emotions of this happy pair! No music can be sweeter music to them than the opening sound of their bed-chamber's lock, and while they enter this seat of fecility with alacrity, and smiles, bursts of animation, cheers and the clanging of *thankoos* reverberate in the whole house.—*Ibid.*

(To be continued.)

IMPROVEMENT OF INDIA.

[BY THE REFORMER.]

In speaking of the project of opening a communication between Calcutta and Bombay, we alluded to a large tract of unexplored country lying between Midnapoor and Nagpoor. This portion of India, the reader must have perceived in every map, shining forth to the view in all the brilliance of unspotted white, except the words "*unexplored country*" written across it. Looking on the map of Asia, we scarcely find another similar spot with which the one in question might be compared. The celestial empire of China, where the poor *barbarians* of *uncivilized Europe*, can find no admittance except by stealth, instead of presenting a similar blank on the map, with the words "*unexplored country*" written across it, appears well stored with cities, towns, rivers, &c., &c., which prove that the world has not been kept in total ignorance of these celestial regions. In fact, we are forced, for a similitude of this singular spot, to travel on to Africa, where the sandy deserts of Zahara present to the view a similar white spot, but, even there the words "sandy desert" is a sufficient apology for the geographer, and seems to say that if there was any variety in the features of the tract it would have been exhibited to the view of mankind. Were this unexplored tract situated on our frontier, it might be said the British arms had not hitherto been able to penetrate the country; and that therefore its general features could not be known. But no, the tract is in the very heart of India, approaching the seat of our Supreme Government within 140 mile From Midnapoor and Cuttack, two of our Military and Civil stations, its distance is no more than about 50 miles respectively. Its approach to the coast beyond Ganjam, is still closer, being within 20 miles of it. Thus it appears that, whilst information has been sought, and obtained from almost every part of India, this unfortunate spot, situated under our very eyes, nay, in the very heart of our dominions, has been allowed to remain unexplored. The jungles and hills of Aracan have been visited, and a Trant has supplied us with the route from thence to the *Irrawaddy* in the very midst of the Burmese Empire. A Pemberton has laid open to our view the country to the Eastward of Silhet, and a Nuefville that towards Upper Assam; even the Himalayas have been, and are about to be, explored to a great extent, and the enchantments formerly said to have prevailed at Kamroop have been dispelled by the labors of our public officers; but, strange as it may appear, the tract we are speaking of remains unexplored.

Want of information regarding this tract is, however, not the only evil which we have to complain of, as raising from the neglect to explore it. Many others, of far greater magnitude, and which speak more home to the Government, demand our attention. One of these evils is the obstacle which this unexplored tract offers to a free and safe communication between this and the presidency of Bombay, as well as all those stations which lye to the South-west of Bengal. Indeed, the near approach of this tract, (inhabited as it is by a race of unsubdued mountaineers,) to the coast, along which the only land communication between this and Madras exists, renders that communication extremely uncertain. Were a horde of those mountaineers disposed, at any critical juncture, to collect under the shelter of their hills and jungles along the Madras road, from which their fastnesses are in some parts only ten miles distant, they could with ease intercept the march of our troops, or at least give much annoyance, and render travelling extremely unsafe. This evil is not quite so far distant, nor our remarks so speculative as some might be pleased to imagine. Do they know where *Goomsoor*, a name with which they have lately become so familiar, is situated? It is within the local ambit of this same unexplored tract. The very name of this scene of the military operations now carried on, viz. *Goomsoor*, to use a Persian phrase, has hitherto been altogether *Goom*, or unknown to mankind. The turbulent state of the people inhabiting the place has brought it into notice, and now we begin to hear of Goomsoor; but with its exact locality few only are acquainted. Some will tell you it is between Madras and Cuttack: others between Cuttack and Hyderabad or Nagpoor, and so forth; but its precise position few know. Such is the want of information in regard to these parts.

On examining some papers not generally accessible to the public, we find the following brief sketch given of this place by Mr. Thackeray, in his official report to the Government of Fort St. George, dated 30th March 1819: "Goomsoor is a large and fertile zemindary, composed of valleys running up between the hills of the great range dividing Ganjam from the Marhatta country, and a wide extent of hill and jungle on the frontier."

But to return to the evils consequent on our want of information regarding this unexplored tract, we need but point to the loss of lives and treasure which has been already caused by the Goomsoor campaign. The survey of the whole of this tract, together with the construction of a good road across it, would not have cost the State near so much as this campaign is likely to swallow up, and, perhaps, after all, we shall be left just where we were in point of information regarding the country—exposed as much as ever to a recurence of the evils we are now suffering from this war. With facts like these before us, we cannot but deprecate

the policy of those who maintain that the civilization of the people inhabiting this unexplored tract is not an object for the serious consideration of Government in the political and the financial departments. We name these departments in particular, in order to indicate that in the moral department, if there be such a one, the subject would not admit of a question. We have been informed that some three years ago the project of opening a road between this and Bombay was submitted by some liberal minded men for the consideration of Government, but that among the advisers of that high authority in these matters, some considered that it would have been a waste of funds to carry the project into operation, and whilst, on the general principles of philanthropy, they affected to approve of the measure of civilizing these people on the ground of financial considerations, they opposed the project. Attending no doubt to the advice of these penny-wise and pound foolish politicians, the Government has until now deferred carrying the project into effect,—and behold the consequences! The Goomsoor war would perhaps have been prevented by adopting the measures which were recommended to Government, and so many valuable lives and so much treasure, as has been already expended on these military operations, saved. If a road between this and Bombay had been opened, dividing in the first instance this unexplored tract about its centre, and then, as we have already explained in a foregoing number, bringing into cultivation the tracts lying on either side of the line of communication, the civilization of these people would have been the natural consequence. At least these people would have become better acquainted with the military resources of the British Indian Government, and of the total impossibility of contending against it with any hope of ultimate success. This knowledge and such an impression of our power would have been the first step towards the civilization of these people, a step sufficient in itself to have deterred them from any attempt at unavailing hostility. The history of the late Burmese war, and indeed of most wars which this Government has had to wage with its neighbours, shews that the hostilities of our enemies were commenced and carried on chiefly in consequence of their ignorance of our power, and of the means we possess of ensuring ultimate success, and that no sooner was a conviction of our superiority brought home to their mind, than all hostilities ceased, and the enemy became either a tributary vassal or a friendly ally, looking up to us for protection against his own neighbours. But in most of these instances physical force was employed at a heavy loss in life and money to produce the desired conviction. These sacrifices were justifiable, because, owing to the situation of the Burmese empire, the kingdom of Nepaul, &c. that conviction could not be produced without the aid of the strong arm of physical power. But no such plea of justification can be set up in defence of the Goomsoor war; because the place is very differently situated, affording, as already explained by us, easy and certain means of conveying the required conviction to the minds of the inhabitants. Viewing the question in this light, the responsibility of every drop of blood-shed in skirmishes between the people inhabiting the unexplored tract in question and our troops, must be laid at the door of this Government and of those who have advised it against the improvement we are recommending, every rupee spent in suppressing these people, ought to be placed to their debit. We would then see how this profit and loss policy would balance the account.

But when was an enlightened government instituted or maintained merely to ground every consideration—*to conduct every measure*, on the principles of pecuniary loss and gain? Surely this country is held in subjection by the British nation for higher purposes. The object of making so large a portion of human beings as inhabit India, comfortable and happy, no doubt, forms one of the chief principles on which it holds dominion. If so, ought not this Government to wean, by means of civilization, those savages from their wretchedness and brutality? When we reflect upon the inhuman customs of these people, we feel fully justified in using such strong language to describe their degraded condition. The following extract from the *Madras Conservative*, contains some information regarding these customs:—

The revolting practices described in the following narrative, (furnished us by a kind correspondent,) will not fail to create the greatest horror.

Human Sacrifices in Goomsoor.—Meria pooja or Human Sacrifice takes place once a year in one or other of the confederate Mootas in succession.—The victims are stolen from the low country or are brought from some other distant part, and sold to those Mootas where the sacrifices are performed. If children, they are kept until they attain a proper age. This cruel ceremony is thus performed.—When the appointed day arrives, the Khands assemble from all parts of the country dressed in their finery, some with bear-skins thrown over their shoulders, others with the tails of peacocks flowing behind them, and the long winding feather of the junglecock waving on their heads. Thus decked out, they dance, leap and rejoice, beating drums and playing on an instrument not unlike in sound to the Highland pipe. Soon after noon, the Jani or priesting Priest with the aid of his assistants, fastens the unfortunate victim to a strong post, which has been firmly fixed into the ground, and there standing erect, he suffers the cruel torture, (humanity shudders at the recital) of having the flesh cut from his bones in small pieces by the knives of the savage crowd, who rush on him, and contend with each other for a portion. Great value is attached to the first morsel cut from the victim's body, for; it is supposed to possess greater virtues, and a proportionate eagerness is evinced to acquire it, but, considerable danger to the person of the operator attends the feat, for it happens also, that equal virtues are attributed to the flesh of the lucky holder of the first slice. To guard against so disagreeable an appropriation, a village will, perhaps, depute one of its number to endeavour to secure the much desired object, and they accordingly arm him with a knife, (mereti,) tie cloths round him, and holding on by the ends, at the appointed signal rush with three or four thousand others at the miserable sacrifice; when, if their man should be successful in his aim, they exert

then utmost efforts to drag him from the crowd, from whence (so few being able to approach the wretched object at once,) should he escape unhurt, the whole turn their faces to their homes, for in order to secure its full efficacy, they must deposit in their fields before the day has passed, the charm they have so cruelly won.

The intent of this inhuman sacrifice is, to propitiate Ceres. How devilish!!

In Guddapoor, another and equally cruel sacrifice frequently precedes the one already described. A trench seven feet long is dug, along which a human being is suspended alive by the neck and heels, fastened with ropes to stakes, firmly fixed at each end of the excavation, so that, to prevent strangulation, he is compelled to support himself with his hands over each side of *his grave*.

The presiding priest or *Jani*, after performing some ceremonies in honor of the goddess Kanekisiri, takes an axe and inflicts six cuts at equal distances from the back of the neck to the heels, repeating the numbers one, two, &c., &c. as he proceeds; Rondi, Rendi, Moonju, Nalgi, Chingi, Sajgi, and at the seventh Aigi, decapitates him, the body falls into the pit, and is covered with earth when the hellish orgies first described are enacted. Women are sacrificed as well as men. Since the arrival of the troops in the Khond country, a female found her way into the Collector's Camp at Pattingia, with fetters on her legs, she had escaped during the confusion of an attack by our men on the wulsa or hiding place of the people, who had charge of her, and related, that she had been sold by her *brother*!! to a Moutkoo of one of the Pattingia Mootas for the purpose of being sacrificed!! I not say that she was instantly released, and that she abjured all further connection with her people."

Now let the humane, the civilized reader pause a while, and reflect on the above narrative; and when his mind has been fully impressed with a lively image of the scenes of cruelty it describes, let him say whether he will not join us in earnestly supplicating Government to do all it can to wean these savages from their worse than cannibal inhumanities. O! what will future generations say, when they hear that so near the seat of the British Empire in India,—so near that light which shone with the brilliancy of the noon-day-sun all over Asia, and shed its vivifying rays upon the most distant provinces of India, shone not upon this ill-fated spot! The light of this sun, even when at the meridian, was not known to these wretched children of darkness!

Since writing the above, we have been informed on unquestionable authority, that the report of the human sacrifice lately offered up in the Burdwan district, to which we called the attention of Government, is being enquired into by the local authorities, under the direction of the Commissioner of the district, and that we shall soon be put in possession of facts from a more authentic source than that of the *Probhakur*, on the authority of which the account at present rests. Until then we would beg the public will suspend their opinion on the subject. Speculation, as usual on such occasions, is busy in conjuring up surmises prejudicial to the interests of individuals. These, we beg, may be suspended until some official account of the matter transpires.

Bengal Herald, February 5.

No. 2.

ROAD FROM CALCUTTA TO BOMBAY.

Since drawing the attention of the public to the above important line of communication, we have been favored with further information on the subject, which shews that less difficulty exists in the way of this undertaking, than was at first imagined. At the same time the advances which the cause of Steam communication between England and India is making, furnish additional arguments to prove the usefulness of executing the work without further delay.

The chief object that ought to be kept in view, in all great undertakings of public utility, is that approved principle of the Benthamite school, the greatest good of the greatest number, and for the greatest length of time. Disregard of this salutary maxim has always been attended with considerable loss to all Governments, especially that of India, in its endeavours to open roads. When Central India was to be benefitted by this means, a trunk road was projected from Mirzapoor on the Ganges to Jhubbulpoor, why and wherefore only to that place we are not aware; for, taking a general view of the country to the south of Jhubbulpoor, we find the most part of that tract as fertile, as likely to yield benefit, and as much in the same state as the country between Jhubbulpoor and Mirzapoor. The trunk road was, however, to be completed only to that point, and no further. With this trunk road several branch roads were projected towards Saugor, Hussingabad, Seonee, and in various other directions. The construction of several of these, especially the one from Jhubbulpoor to Saugor, was partly carried into effect, at very great expense; and then, strange as it may appear, all of them abandoned, except the main line between Mirzapoor and Jhubbulpoor. At this moment that is the only line which we find in good repair, and much used by the bunjarah merchants and travellers. The others, having been neglected, are choaked up with vegetation, and it is difficult to discover even the trace of some of them without the aid of the maps and surveys which had been executed before their construction. Experience pointed out the paramount importance of extensive trunk road communications; the means at the disposal of Government were directed to the construction of these, and very justly withdrawn from local improvements and measures of partail and limited utility, which should not have been at all undertaken until the works of greater importance, more general usefulness, and more permanent character, were completed. Several other lines of communication between towns of minor note were more recently undertaken, the one from Patna to Bhaugulpoor, another in Mozufferpoor, a third somewhere near Patna, &c. all of which, after having cost much labor and expense, were abandoned, because the paramount necessity of completing the

trunk road between Calcutta and Delhi became evident. These lines should not have been undertaken until the great trunk-roads were completed. The means exhausted on them, from which, now that they are abandoned, no benefit will result, might have finished the road between Calcutta and Bombay. It is a salutary exercise to reflect on these half finish measures, and abortive efforts to do public good; for they teach us, from past experience, to be wiser in future. Local authorities, who confine their views to the districts over which their care and attention extends, will naturally advise Government to carry certain measures of improvement within their respective districts, or which would tend to benefit it. The Government, however, which has the care not of one but all the provinces that form this vast empire, sould take a comprehensive and enlarged view of the whole, and give preference, in regard to early execution, to such works as tend to the greatest good of the greatest number, and for the greatest length of time. Such works, when once executed, will never be adandoned nor neglected. Their general usfulness will always find the means of keeping them in good order and the expense once incurred will continue to benefit the country for agest to come. To notice but one instance, will any one venture to say that the direct road now opened between Calcutta and Delhi will ever share the fate of the Nurbudda and Behar branch local roads which we have meationed? On the contary, judging from the past and the present state of the affairs of India, we feel assured that such a work has a far better chance of permanency than even the empire of the English in this country.

Viewing the subject, therefore, in this light, the Government ought to direct their greatest and most energetic efforts towards the completion of works which are likely to be of extensive and permanent advantage. The road from Calcutta to Bombay would be such, and is therefore deserving of the attention of Government. On this very account it ought also to be constructed in a straight a line as the nature of the country will admit. All minor difficulties should be overcome, and nothing but absolute impossibilities ought to be permitted to cause a departure from the straightest and the shortest course. In the case of the route from Calcutta to Bombay, it however fortunately happens, that the circuitous routes which were formerly recommended were also those which opposed the greatest number of obstacles in the way. The route now recommended is almost a straight line hence to Bombay, and at the same time offers the least difficulty to the construction of a good road.

To bring the whole of this line within the compass of one view, we shall begin from Calcutta. The principal places through which it passes are Midnapoor, Jubbulpoor, Raipoor, Nagpoor, Oomrawtee, Aurungabad, and across the western ghats, to Bombay.

The portion from Calcutta to Milnapoor, for the first 15 miles, runs along the eastern bank of the Hooghly, to opposite Oolobariah, where that river is crossed. It thence proceeds along a line of canal to the banks of the Damooda, a distance of 8 miles, where that river is crossed, and following the same canal for 7 miles more the Roopnarain river is crossed. The canal is again the companion of the road until Panchkoorahghat on the Cossy River, a distance of 11 miles, whence a road branches off to Tamlook. After crossing this river, the road proceeds through a well cultivated country and numerous villages in a straight line to Midnapoor, a distance of 26 miles; crossing the Cossy a second time about four miles from that town. The whole of this portion being about 67 miles, and is a good made road for all sorts of vehicles, passable at all seasons. It is at present kept in repair by convicts under the executive officer of the Midnapoor division, and costs the Government but a trifle.

After passing Midnapoor, on the route now travelled by the post, which is almost a straight line to Nagpoor, the country by degrees becomes less populous, the villages are at greater intervals from each other, and the appearance of the surrounding scenery is more wild and woody. This line was discovered and measured by Mr. Babington, the Deputy Post Master, in the year 1835. From Midnapore to Seersah, a distance of 50 miles, this route, is the same as that surveyed by Major J. N. Jackson, of the Quarter Master General's Department. For two miles further on Major Jackson's route is followed. The new line then deviates from it in a south-westerly direction, which it keeps through the valley of Bamunghatty, until it again joins the old road at Gorapulsih Chowkee, a distance of 52 miles from Seersah. Here it again joins the old road, and continues the same line to four miles beyond Tréntee, a distance of 11 miles from Gorapulsih. The new line again turns off to the south west, crosses the Byturny River at Todepoor, on the borders of the Mohorbong Rajah's country, and entering the territories of the Keonjhur Rajah, a second time, joins the old road at Balung, which is 81 miles from Tréntee. From this place to Sumbhulpoor there are 66 miles. This gives a total distance between Midnapoor and Sumbhulpoor of 256 miles. By Major Jackson's route, which was always considered the shortest, the distance from Midnapoor to Raepore, was 463 miles, and had 37 ghats, some of them very difficult of ascent. The new line presents the following advantages, over the old, it is 57 miles less, has but three ghauts, including the Kundrup, which is on the old road, and there are two Rivers, nineteen Nuddees and twelve Nullahs less, than on Major Jackson's route, the soil throughout is well adapted for making a road, being either an iron stone gravel, or a hard, red sandy clay, which, when formed, will not require metalling.

From Seersah to Aurung, the distance is about 18 miles. The road for the first mile and a

half, from Aurung, has been raised, to an average height of two feet, and is sixteen feet wide, for the remainder of the distance to Poorranna Paun, a place 32 miles from Aurung, the breadth varies from 10 to 12 feet, which has been cleared of stumps and stones, and levelled throughout and the banks of the rivers, and nullahs have been sloped off. The Bissai Ghaut has been made perfectly practicable for wheel carriages, and the jungle cut, about forty feet on either side of the ascent On the remainder of the road, the jungle has not been cleared more than eight or ten feet From Peonanapaun to Jodepore, the distance is 44 miles. From Jodepore to the crest of the Ghurree Moongree Ghat, it is 43 miles, running through the Keonjur Rajah's country. The average breadth of the road, is 16 feet throughout, it has been cleared of stumps of trees, and well levelled, and the jungle cut to a distance of forty feet, on either side, with the assistance rendered by the Keonjur Rajah. The ascent to the crest of the Gurree Moongree Ghat, from the Keonjur Country, has been much lowered by the removal of large masses of loose stones, and filling up the intermediate hollows, which has rendered it perfectly practicable, for all descriptions of carriages. From the crest of the Gurree Moongree Ghat, to six miles westward of Balung, a distance of 34 miles, is in the country of the Benia Rajah, whose revenue to the amount of one hundred and fifty rupees per annum, has been remitted by the Government, on condition of his keeping this part of the road in good repair. The road from four miles east of Kossme, to three miles west of Koochundah, a distance of 25 miles, is in the district of the Bourrah Rajah, who has revenue to the amount of one hundred rupees remitted, for keeping it in repair. The breadth throughout is twelve feet, it is well levelled, and free from stumps and stones. The Kundrup ghaut, has been much improved, and the ascent lowered, from two to four feet, by removing large masses of loose stones, filling up the hollows, and levelling it throughout. From three miles west of Koochundah to Sumbhulpore, there are 34 miles.

From Sumbhulpore to Sohola, 21 miles, the whole distance in the country of the Sumbhulpore Rajah, the breadths of the road throughout is twelve feet and upwards, the stumps of trees and stones have been all removed, and it has been well levelled, and where there is jungle it has been cleared forty feet on each side. The Rajah has afforded every assistance in his power; in making the road. From Sohola to Suckra, 51 miles, lies in the country of Pooljah Rajah, the average breadth of the road is ten feet which has been cleared from stumps and stones. The jungle to the extent of thirty feet on either side has been cut. From Suckra to Raepore, is 73 miles, running through the Nagpore Rajah's country, under the immediate jurisdiction of the Sooba of Raepore. A large proportion of this part of the road was naturally very good, only requiring marking out and the remaining portion has been freed from stumps and abutted. Breadth varies from ten to twenty feet. The jungle has been cleared thirty feet on either side of the road

The road for upwards of one-third of the distance to Bombay, has been thus made as efficient, for the march of troops and for wheel carriages, as any other of the same description in the country, by the exertions of Mr. Babington, acting under the orders of the Post Master General. This road possesses one great advantage over many others: from the peculiar nature of the soil over which it runs, it does not require metalling, being equally practicable at all seasons of the year. It could be constantly kept in a good state of repair, at a very trifling expense to Government

From Raepore to Nagpore there are 186 miles in the territories of the Nagpore Rajah. Some years ago a road was made between these places, which still exists, and would not require much labor to improve it Our information of the road between Nagpore and Bombay is at present very meagre. We are however informed, that a road was constructed between these two places, which is generally in good condition, and could be easily improved. The country which this line presents, affords peculiar facilities for the formation of a good road, in consequence of the nature of the soil, the fewness of the natural obstacles which present themselves in the way, and above all the progress that has been already made in clearing a good broad passage over which even wheeled vehicles can already travel All these circumstances shew that the undertking is not near so difficult as was at first imagined, that the greatest obstacles have been already overcome, and that it now only remains for the Government to turn its attention to the completion of this important work of public utility. We ought to say of necessity; for, from English papers lately received, it appears that great exertions are making in England to establish a line of Steamers between Bombay and that country The Court of Directors, it is true, treat the question with very blameable apathy; but in these times, when public feeling so effectually regulates the motions of the state machinaries, we have every reason to hope that the Honourable Court will soon find it necessary to adopt the measure for which the public are so clamorous. The establishment of such a line of communication will give to Bombay that importance to which we alluded in a former article on this subject; and then the necessity of a good road between Calcutta and that port will become too urgent to admit of its contruction being any longer procrastinated.

The extension of the Mirzapoor trunk road, which is in excellent condition as far as Jubbulpore, to Nagpore, will at once unite the north-western provinces with Bombay, through the very centre of India, whilst it will be a

great progress towards the opening, in future, of another important trunk road from Madras via Hydrabad to Nagpore, which will complete the direct line of communications from one extremity of the empire to the other. Thus India will be crossed by two grand trunk roads, from north to south, and from east to west. The branch roads may then be projected in the order which the importance of each might demand, and thus in time the resources of this rich and prolific country will be wholly developed, and the expence incurred on these improvements yield an incalculable profit, not only in revenue, but the safety of the empires, by providing the means of directing, with felicity, the military powers of the state, to any point where they may be wanted.—*Bengal Herald, March*, 7.

THE CHITTAGONG DISTURBANCES.

[BY THE REFORMER.]

Several accounts of the recent disturbances at Chittagong have appeared in the daily papers, but none of them are stated to emanate from the officers who took a prominent part in the transactions. We have now before us some appears which afford the official, and we suppose, the most correct version of the facts connected to with this affair. We shall therefore lay them before our readers, accompanied with such observation may occur to us.

It appears that since the end of November last, a combination had been formed among the Hindoo Lukheerajdars or rent-freeholders and Zemindars of the district, evidently with a view to prevent the assertion of the right of Government, and if possible to get rid of Mr Harvey, the Magistrate and Collector, whom these people look upon as an officer, who, by his local knowledge and zeal, is able to conduct the work of resumption in the most effectual manner. The people of the district were excited against the Government and Mr. Harvey, no doubt, in consequence of the proceedings in the case of the Mutoonjoy family, the particulars of which are fully given in the *Hurkaru* of last Wednesday. The Mutoonjoys were up to a very late period, considered the most wealthy and influential family in the district. They are the hereditary canangoes of it; but are now in a situation in which they can hardly provide themselves with the common necessaries of life. To this state of distress the family has been reduced by the operations of the Regulation II. of 1819, and III. of 1828, as conducted under the immediate orders of Mr. Walters, the then Collector of Chittagong and Mr. Harvey who was at that time Officiating as Commissioner of the district. This case of extraordinary hardship is however under the consideration of Government at this moment; with whom it rests either to preserve or for ever to ruin the prospects of a family which has for years enjoyed all the respect and comforts which an extensive zemindar is in this country capable of enjoying. The people from these examples naturally conclude that a similar fate awaits them,—and who is so indifferent to self-preservation that he will not come forward to oppose, even by means which are not strictly lawful, operations which he apprehends may, soon or late, affect him personally in a similar manner? Added to these causes, which evidently actuated the people in the late affray, they appear, from the accounts before us, to have been labouring under a misapprehension that the Civil Judge of the district had declared the measurement of their lands to be illegal and would listen to any complaint which they might make against the proceedings of the revenue officers. It seems this fact was carefully concealed from the Civil Judge, Mr. Moore, whose pleas, being themselves extensive land proprietors in the district, were, no doubt, interested in allowing the impression to remain unknown to their superior, and thus to work out the object they were, in common with the other landholders in the district, anxious to see accomplished.

The affray commenced by the people collecting in large bodies to oppose the measurement which was being carried on by the Deputy Collector, for they verily believed that the tax officer would follow the Surveyor. They were, it seems armed with clubs and other offensive weapons, and used threats of proceeding to the utmost violence, if the officers persisted in carrying on the measurement. Mr. Morton, one of the assistants to Lieutenant Siddons, who refused to stop his work at their bidding, was among the first whom the mob attacked. They assaulted him, destroyed his instruments and field books, and used such violence towards him that his escape out of their hands is considered fortunate. Messrs. Mullins, Parker and Owen, were at the same time prevented by the people in different parts of the country from proceeding in the execution of their duty, and were forced by violence to stay quiet. Lieutenant Siddons and Mr. Harvey, who were both on the spot, appear to have been exposed to considerable danger, and it is stated that their lives would have been sacrificed if they had not resorted to the use of fire arms to keep off the mob, who, armed with heavy clubs, were attempting to rush in upon them; in which if they had once succeeded, nothing could have saved their lives. Mr. Harvey had taken the precaution to have his boats near the spot where the mob pressing on his

party must have overwhelmed them into the deep muddy banks, whence no resistance could be made. The people during this attack appear to have been actuated with the most vindictive feelings against Mr Harvey, towards whom they constantly rushed, endeavouring to the utmost to sieze him, and calling out to each other to beat him. Some attempts, were likewise made to rescue the prisoners that were with Mr. Harvey at the time. That gentleman, therefore, it is stated, after much forbearance towards the mob who were assaulting him, ordered his armed police to fire upon the them. Two persons were killed, who it was afterwards found, were the dependants of one Ramkanoo Chowdhery, who had attacked Mr. Morton, and was, at the the time of the assault on Mr Harvey, at the village of Panai in Kana, whence the greatest part of the mob came This village is inhabited chiefly by the canangoe families, who are the most influential in the district, and to which class, it will be recollected, the oppressed and now ruined family of the Mutoonjoys belongs. These people are the most opposed to the measurement of the district.

The determined conduct of Mr Harvey and Mr. Dampier, the Commissioner, who was also present, and the appearence of the military, soon awed the people into quietness; so that the ringleaders in the affray have been taken up without any resistance. The Magistrate and the Commissioner have, it is said, succeeded in adopting measures for the future preservation of peace, and a resurrence of the violent conduct lately exhibited is not apprehended.

Two moonsiffs, several canangoes and zemindars, and a great number of people, have been taken up on suspicion of being the instigators of the disturbance, and are to be put on their trial. These trials, we understand, are to be conducted by the local authorities, who are themselves the aggrieved party, and therefore parties to the suit. From all the accounts which have reached us of the affray, we have certainly no hesitation in pronouncing be illegal, and wishing to see the injured party redressed and the breaker of the public peace duly punished; but when we remember that expressed and well known wish of the authorites in England, that they desire not only that justice could be impartially administered to their Indian subjects, but also that *the people be convinced* that it is so administered, we cannot help questioning the propriety, or at least the expediency, of committing the trial of the defendents in question into the hands of the very functionaries who have been injured by them. This is leaving the sentence in the hands of the plaintiffs; a measure which, notwithstanding the great confidence we are disposed to place in the dispassionate and impartial principles of justice and equity which actuate the gentlemen concerned, will be condemned, as calculated to produce on the minds of the people a very unfavourable impression in regard to the dispensation of justice by the British Indian Government. If ever the trial by jury was a desideratum, it is in cases where, like the present one, public functionaries are a party, Nothing short of a trial by jury can on such occasions establish perfect confidence in the people, that they are governed with strict and impartial justice. But jury, we shall be told, it is impossible to have in the instance under consideration. Granted, but it is not impossible to commit the trial of the persons apprehended, to Commissioners appointed especially for the purpose, who have had no share in the transactions, nor any connection with the complaining party. It is this that we now pray for in behalf of this people, and it is this alone, which, under existing circumstances, can convey to the people an assurance that justice is administered to them with strict and unquestionable impartiality We trust Government, before whom the question is now pending, will not fail to attend to the suggestion we have taken the liberty to offer, for we feel convinced that if the investigation of the affair be left to those who have had a share in it, and if the judgment be passed by the plaintiffs, the confidence of a people, whose suspicions have been already excited by the resumption operations, will be shaken, and instead of regarding the Government as their lawful protector, will be led to look upon it as the greatest enemy to the happiness of themselves and their posterity Secure as may be the reign of the British over this distant country, and well conceived as may be the plans of their defensive policy, we see no reason why the subjects, although unable at present to do any harm, should be forced to lose confidence in the Government, and compelled to look upon it as the destroyer of their happiness. A feeling such as this we apprehend, would result from the neglect of the measure we have recommended, and would not be easily eradicated from the hearts of the people. It would, we fear, remain long pent up to their dissatisfied bosomes, anxiously awaiting any favorable opportunity to vent itself in complaints, in violence, and in the desertion of the standard of the present rulers of India at the approach of any powerful enemy It is not expedient, we therefore repeat, to do aught that may weaken the confidence of the people in their present rulers, particularly to an ignorant tribe who, occupying, as they do, our frontiers, are regardless of every other consideration but that which immediately affects their personal and individual comfort. - *Bengal Herald Jan*, 29.

Since writing our article on the above subject in the *Reformer* of the 29th ultimo, we have been assured upon unquestionable authority, that Mr. Harvey had nothing further to do in the Special Commissioner's Court, than selling the lands given as security, which latter act he performed under the orders of th Commissioner and the Sudder Board. The Island of Kootoobdiah was declared an escheat by the Sudder Dewany long antecedent to Mr. Walter's proceedings under the

Re
angoes, we are told, was founded on pure official usurpation, and they occupied the greatest part of the island under an alledged fakheta summud which was declared invalid by the Sudder Dewanny. Mr Plowden settled the island, and his proceedings were confirmed by the Commissioner, under whose orders and those of the Sudder Board the sales and purchases on account of Government took place, Mr. Harvey acting, in these proceedings only as an executive officer.

We make the above statements in order to remove any unfavorable impression which our remarks of the 29th ultimo, might produce against Mr. Harvey as being the originator of unpopular measures, or as affording any real ground for the excitement under which the people proceeded against that gentleman.

With regard to those who had been taken prisoner on the occasion, we are informed from the same source that those who did not openly oppose the Police themselves have been set at liberty on furnishing security not to do so again: and those who assaulted the deputy Collector and Mr Morton, or aided in the offences, have been punished for assault on the plaints of the natives, whist those who opposed Mr Harvey in person, are to be committed for trial before the Session Judge. The result of the inquiry into the conduct of the native officers of all grades will be submitted to Government on the question of the disposal of those who may have tried to deceive the people by false reports regarding the opinions of Mr. Moore.

From these facts, it is satisfactory to observe, in the first place, that the worst features of the canangoe case assume a less unfavorable aspect; and secondly, that the parties alleged to have been injured, will not sit in judgment upon those from whom they received injury: but others uninterested in the affair, particularly Mr. Moore, the Session Judge, who has always been a favorite with the people, and in the integrity of whose decisions they place implicit confidence. Under existing circumstances, this, we believe, is all that can be done to convince the people that no unfair advantage will be taken by men in power. But whether state functionaries are qualified to sit in judgment, without the aid of jury or punchait, on the claims of the state against individuals, is a general question on which much may be said; but into which we do not at present wish to enter.—*Ibid.*

THE TENASSERIM PROVINCES.

All professional travellers and tourists, who have set out for the different parts of the wide world with the intention to give to posterity the benefit of their unique observations, were well furnished with portfolios of all sizes and descriptions, and beginning with a sea voyage, had much time to ruminate and to arrange their observations. They faithfully noted down every little accident which happened to them during that very uninteresting and monotonous period, but they imagined it to be exquisitively beautiful, because it was new, and there did not remain one phenomenon which was not spoken of largely and repeatedly.

What the celebrate Malaspina, Cook, Foster, and Humboldt acutely investigated,—what Chamisso in lovely verses sang, and what a host of followers in bad prose recapitulated, has no charm at the present day.

The phosphorescence of the water, the polarization of light, the flux and reflux of the tides, the colour of the sea, the experiments with the cyanometer, the appearance of sea weed in remote regions, distant from every shore,—all these are problems which have already gone through too many hypothesis.

Meteorological observations are considered tedious; fish-catching and shark-hooking have had their admirers, sleeping turtle-fishing much more, and fish spawn examinators and molluscoes dissectors have done and narrated a good deal

There remains, therefore, nothing for me to tell, and I may safely at once step over from the lower floating light at the Sandheads to Cape Negrais, or the island of Preparis, the two sentinels of the gulf of Martaban, where a new world begins. Not many parts are so unknown, even to navigators, as the coast of Martaban, otherwise would Horsburgh's excellent charts not have left such a space of land so near Mergui entirely dubious or empty, which, to sea geographers, is only classed with Borneo, New Guinea, and parts of New Holland.

Very much indebted must be the vessels visiting Moulmein and Rangoon, to the fact that the sunken or drowned island is accurately known. It is an awful reef of rocks, just peeping out of the blue main at the entrance in the gulf of Martaban, and we were in no little danger of running upon it with our little frail craft, to return no more. Future ages will perhaps ornament this dangerous spot with a famous light house,—the present days of the dawn of civilization in these regions, must be content if one or the other vessel does not strike against it 'by chance.' But probably, for ages, those beautiful countries will remain at the mercy of an unbounded nature, its forests impenetrable, and the huge elephant, the rude buffalo, and the

malicious tiger, its undisturbed masters and possessors.

I no where saw the sea so much agitated by the tides as in the gulf of Martaban. Probably a greater quantity of water discharges itself into the sea than at the delta of the Ganges and Buramputer. The Persaim or Negrais, the numerous branches of the Irawaddy, the Sittim and the junction of three water streams before Moulmein, are noble rivers, and have all their openings into the sea not more than two degrees distant from each other. They produce such powerful currents, that, notwithstanding that we made six knots an hour upon the slate northward, we were constantly driven towards the south and west.

The first view of the coast of Martaban is undoubtedly inviting. Accustomed for a long time to the monotony of the plains of Bengal, the elevated chains of the mountains appear at once, and seem to be, the too long missed friends of passed years, and their first sight is hailed with delight. The tropic vegetation is certainly, for a new comer from Europe to Bengal, new and striking, chiefly if he arrives at the end of the monsoon; but it is an old truism that the uniformity of plains creates, after some time, both tediousness and discontent. People inhabiting hills and mountains, even if strangers, have been always happier than people of the plains. The Bengallees, whose number increases every year on this coast, either free emigrants or servants, are exceedingly astonished at the first view of the coast. The notion of a mountain does not exist in their dictionary, and they consider them to be clouds of a particular shape, as I have heard, even if quite close to the shore.

The coast is at clear weather more than fifty miles distant when visible; at least I speak of the high chains of the Martaban, the Amherst chain, the Queikh mountains, and others to this day without a current name. At this season of the year, where all is excessively foggy, the scenery bursts at once open, and the beautiful sight of Amherst town charms the new comer. Approaching the place the higher mountains disappear, and several obtuse cones with a long stretched bar at both sides, form beautiful outlines, which are covered with forest to the highest tops, and the different tints of light, produced by the varied foliage, gives to the scenery at an evening's view an inimitable effect. The beauties of a tropical world are here to be admired, and the enjoyment of a luxuriant, unbounded, and never parched vegetation, enchants many old Indians coming from Calcutta, but chiefly from Madras.

What is called Amherst Town is scarcely seen from the vessel; all the dark brown wooden houses of the new establisement are hidden behind the variegated foliage of the trees, and only several strange looking little pagodas on the prominent parts of the beach are the guides to the navigator. Two detached Pygniar islands are the guardians rising from the waters, to the edge of the sea, covered with gracefully bended trees of a new form and species.

The entrance into the Moulmein river is narrow and rather difficult. From the point of Amherst town, a reef of bleak rocks (at low water several feet above the surface) stretches several hundred yards straight across, and on the other side an extensive sandbank obstructs the river bar, so that the proper entrance is not more than somewhat less than half a mile broad. A vessel should always try to enter the river, passing the black buoy, for if, laying outside, she is in danger to be driven from her anchors on the sand. The ebb and flood are so impetuously rushing out and in, that the vessel rides very unsafely, and the currents are so strong that they form high waves like those agitated by the paddles of a powerful steam engine. The rush of the tides is at intervals from 10 to 20 minutes, and the water becomes then at once turbulent and muddy like pure foam. The fishing boats, on account of those powerful tides, do not dare to go outside for fear of being entirely at the mercy of the dreadful element, the sea.

At the inside of the bar is a pretty good anchorage, though not entirely safe, ships of great burthen do not go up to Moulmein, but take in their cargo of timber at Amherst. It is the only extensive trade hitherto carried on in these very promising provinces.

All is quiet and peaceful on shore, nothing of the bustle, the coming, going, and doing, of a stirring place; scarcely a boat is seen,—scarcely a living being walks on the solitary sea beach.

The proceeding up the river without guidance is considered very unsafe, and even small vessels except native crafts, take an appointed pilot which however is by far a less expensive necessity here than in the Calcutta river. Having passed the bar, the river becomes smooth and calm, without any visible current;—the banks are low, and a good way inland, sometimes entirely under water. Trees of a minor size, densely supported by impenetrable underwood and water plant, cover the soil entirely; stunted trunks stray in all directions, great blocks of gigantic trees, palms, bamboos and numerous branches, stalks and grass, float down in the ocean, disregarded by men, who live very thinly scattered, while the poor fishermen's huts are hidden behind the leaves of the bushy tiees. Here and there a narrow sharp pointed Burmah boat hollowed out of a single trunk, glides silently along the banks; no merry song of the people enlivens the inviting scenery; the inhabitant, depressed for ages by iron despotism, does not dare to be happy, and many think to this day that the present very different government is only a temporary happy illusion.

Proceeding up the river, though in many places shallow, offers no difficulty to vessels under 500 tons burthen. Several small buoys in the river mark the most dangerous places

quite conspicuously enough, and there is no shifting of the sands as in the Hooghly, the river remaining, with few variations, always the same.

The Pruces island on the right bank, with its picturesque hills, appears more prominently. It is of considerable value, and will be more so in time. It possesses fertile plains of alluvial soil which yield rice in great quantities and of a superior quality. Generally, the Burmah rice is considered far preferable to that cultivated in Bengal. But it does not agree well with the Hindoos, of which the sepoy regiment here stationed gives a daily proof. Higher up, about 7 miles from Moulmein, is an other small islet called Green Island where the river takes the last bend. Martaban, on the opposite side, with its numerous pagodas is first visible; proceeding one mile more, Moulmein itself comes in view. The pagodas, though with respect to symmetrical lines claim very little the admiration of an architect, give every where the most prominent character to the country. Wherever a village, and much more where a town, in Buddhistical countries, is met with, there are pagodas the first visible buildings; they are of all sizes, though always of the same form,—a very pointed concave pyramid on a quadrangular or sixangular base. The great Pagoda of Moulmein is considered a remarkable one, which rivals her eldest sister at Martaban. With jealous eyes, look the old rulers of the country from the other side of the river over to the new settlement, which encreases rapidly every year. They have not ceased to hope, that it will be again their own; unfortunately for them, the first objects which meet their sight are the cantonments where they have opportunity to see every day in full parade the fearful red jackets, a terror to the buffaloes, as they equivocally denominate themselves; and the time is too short to have forgotten the mischief which they experienced from these "jackets" to make them at least prudent though not less proud and presumptuous.

Before reaching the town, several dock yards are seen dispersed along the river, and numbers of wooden skeletons peeping through the half cleared jungle are a positive proof of the intention of the inhabitants to augment their means of trade and communication.

The first appearance of the town is very odd. Nothing but wooden buildings, chiefly cottages, with thatched protruding roofs, all of a brown colour; jungle and underwood from all sides; some little wooden inclosures of intended future gardens: here and there a plantain tree, with its light green broad leaves, contrasting with a few old trees, decaying under the inimical influence of a clearing civilisation,—these are the signs of the commencement of human culture and remodelation.

Just so must have looked the first attempts in America to annihilate the virginity of its soil, never before touched, where new cities and provinces since have risen, a transplantation of old Europe. Twelve years ago all was here a wilderness. When Sir Archibald Campbell landed from Martaban, with the intention to select a spot for the quarters of the British forces, and endeavoured to penetrate to the top of the hill which he saw from the river, the bearings of the compass were his only guide, and with sappers and miners at his disposal, he required a full day to clear the distance of one mile. Now, there exists on the same spot a city of more than 5,000 human abodes, and upwards of 15,000 inhabitants; good roads intersect it in all directions; the influence of human ingenuity and perseverance has gained the victory over an overwhelming nature; its inhabitantants look out to happy posterity with a calm assurance, and every offers in his tongue, and in his way, thanksgivings to his great maker and preserver.

The same hill from which Sir Archibald Campbell gained the first view over the country and sagaciously pronounced the best suited spot for a new settlement, is the chief place of the Buddhist worship. Very modestly built, are the houses of the different christian congregations,—viz. an episcopal church a baptist, an anabaptist and a Roman Catholic chapel.

The town of Martaban is the chief market of the place; its chief commodity is vegetables, and Burmah boats, partly belonging to Moulmein, partly to Martaban, glide silently in the evening on the river in all directions and pass at high water, close under the houses which rest, all without exception, upon a foundation of wooden posts, which give them a very strange appearance. There are at present at Moulmein very few vessels, chiefly very small native schooners, trading along the coast with Rangoon, Tavoy, Penang, and Singapore, besides some brigs and sometimes barks, plying between this place add Calcutta or Madras. Recently timber has been also exported to the Isle of France.

Coming on land, the lower vegetation at this season is rather scanty, all the grass entirely burnt, the trees casting their leaves and, though the thermometer in the middle of the day rose to 87 degrees, Fahr. yet the time was the true winter, when nature's productions repose from their yearly exertions.

Mr. Blundell, the commissioner's residence, it considered the most finished in the place; it is exactly like the others in Burmah Chinese style, entirely composed of wood, elevated on posts above the ground, to leave a free passage to the pouring water during the monsoon, with a projecting roof supported by wooden pillars, forming a kind of outside verahdah But this, (as are the greatest part of the houses, though looking very unpromising from the utside,) is exceedingly comfortable, and undoubtedly very well adapted to the country and climate. All windows are open, and forming the greatest part of the walls;

such a house is rather to be called an airy cage, than a solid mansion. Some of the houses inhabited by Europeans are even made only from bamboo and reeds. Notwithstanding this, the greatest part of gentlemen and ladies seem to be very happy, and like the country and the people. The usual complaints that India, with all its Asiatic luxury, is only a splendid exile, never from the topics of a general conversation, and the only repeated complaint was that potatoes were exceedingly scarce and that the communications with other parts of the world are too frequently interrupted, and letters from Europe do not arrive for months. The reason is, that the military gentlemen are from the Madras presidency, whence vessels are much scarcer than from Calcutta. The climate must undoubtedly be better than in any part of India, and the place ought to be strongly recommended as a place of recreation and restoration of health to the valetudinarian. Nobody is afraid of the sun, and everybody walks even in the middle of the day without a chatta. The best proof of the salubrity of the climate is H M. 62d Regiment, which, out of 670 men here stationed, has at present only 28 men in the hospital, the greatest part merely with trifling and external diseases, and the hospital was twice entirely closed.

The greatest curiosity of Moulmein is the abovementioned pagoda on the elevated hill behind the town. It is a charming place, from whence the most beautiful panorama of the country is to be seen. The place of worship is an aggregation of pagodas of all sizes, the largest in the centre. There is such a number of idols, incarnations, ministers of the gods, probably saints, higher and lower attendants of all ages and shapes, that only the chief ones enjoy the prerogative of a separate abode; the others are apparently promiscuously crowded together in several poorly looking wooden shops. Amongst them is a young gentleman of an enarmous size in demigrecian costume, stretched on a couch, leaning on his hand; he is holding a palaver with a host of figures, who approach him in a kneeling position, with folded hands. All these images are formed from white clay, the outside of a kind of enamel, and seem to be partly of Caucasian, partly of the Mogul races, but all distinguished by very long ears; a mark of beauty amongst the Burmese. Their colour is chiefly dead white, some are black, and I suppose they are evil demons, for they have exceedingly wild and grinning features. Only few are entirely gilded.

The system of toleration is happily introduced amongst the Buddhists, and they are not at all particular about their gods, so as to keep them mysteriously shut up. My guide was a Burmese, and he was the first who opened those shops and shewed me every thing without reserve or apprehension. Not a single soul was at that hour there; the new and the full moon are the times when all Birmahs, wrapped in their best clothes, pilgrimate to this holy shrine to offer their prayers, and I am told they are very pious. Round the hill are different curious standards of the Burmese and Chinese fashion, long narrow strips of cloth fantastically cut out. Such a standard is always met with where a holy place stands, at the abodes of their yellow-clothed priests or monks, at holy sources, where wonderful figures with birds' faces form the ornamental statues, and at other mausoleums, where dogs with long beaks, represent their guardians.

The cantonments are an open, well-cleared place, separated from the town. Opposite to Martaban town 250 years ago, at least so says tradition, there was a considerable town on the same spot, founded and inhabited by the Siamese, and the place of the cantonments was a large fort. The remains of a deep trench, made unquestionably by artificial means, seems to corroborate this opinion.

For the past four years, Moulmein has become the place of transportation for convicts from Bengal and Madras. Their number amounts at present to about 800. The place will, perhaps, in time, be a penal settlement, some what resembling New South Wales. The transportation of criminals has undoubtedly proved useful to the inhabitants and beneficial to themselves. The price of labour is excessively dear; the Burmese are an independent race, who do not like to work for Europeans. Rice, and some spontaneously growing leaves and berries gathered in the forests, form their principal food. A house of bamboo is built in the course of some days, and they know no other wants. Money has no charm for them, as they do not know how to use it, especially as they never have been tradesmen, which occupation is in Burmah confined to the princes and noblemen. Some families came over from India with their masters; others followed, and begin now to settle themselves. At first there was great difficulty in persuading them to leave India; they did of course not know where Moulmein or Tenasserim generally were; no wonder, —many Europeans did not know!

Now being better informed, their numbers increased annually—otherwise the most common necessities of life could not be got. The introduction of convicts was therefore very desirable.

The greatest part of the necessary Government work being finished, they are hired out to private individuals, which covers the incurring expenses. They are well treated, and behave remarkably well, and the famous Thugs are the mildest and most submissive class! They have unfortunately great facilities for escape. Scarcely leaving the place, the forests hide them, and the river is the frontier of the territory, which to cross, they get easily the means; a jealous government receives them there with open arms; and a black man finds his way from Pegu to the Coast of Coromandel by land without any difficulty! That these escapes do not happen more frequently is a proof that the Thugs, in some measure,

must be satisfied with their present condition and greatly perhaps acknowledge the justice of their condemnation. A problem remains to be solved in about three years. Will not a part of those transported for seven years prefer to remain in the country? If so, and there is much reason to anticipate it, a system of colonisation on a larger scale could be introduced, which would undoubtedly prove beneficial to the country and to the government

DR. HELFER.

Englishman.]

THE CENSUS OF CALCUTTA.

Understanding that Captain F. W Birch, Superintendent of Police, had lately been engaged in taking a census of the inhabitants of Calcutta, we applied to that gentleman for permission to inspect the voluminous documents he had doubtless compiled. Having obtained the permission we sought for, and every information we desired, we subjoin extracts from the documents in this place, Captain Birch deserves the thanks of the public for his labours, and for the very ready and obliging manner in which he has allowed them to be made use of for general information.

CALCUTTA, JANUARY 1, 1837	*Males and Females*
English	3,138
Eurasians	4,746
Portuguese	3,181
French	160
Chinamen	302
Armenians	636
Jews	307
W. Mahomedans	13,677
B. Mahomedans	45,067
W. Hindoos	17,333
B. Hindoos	1,20 318
Moguls	527
Parsees	40
Arabs	351
Mugs	683
Mudrassees	55
N Christians	49
Low Castes	19,084
Total Population.. Males. .. 144,911 / Females.. 84,803	229,714
Puckah Houses	14,623
Tiled Huts	20,301
Straw ditto	30,567
Total Houses	65,495
Police Force	1,358

In the year 1800, according to the report of the Police Committee furnished to Lord Mornington, the Population was 500,000.

In 1814, according to the calculation of Chief Justice Sir Hyde East, it amounted to 700,000.

Both of which calculations must have been erroneous, unless they included the suburbs of Cossipore and Garden Reach; which we believe they did.

In 1821, five Assessors were appointed, by whose calculation the population of Calcutta amounted to as follows—

	Christians.	Mahomedans.	Hindoos.	Chinese.	
Upper North Division .. 5	6,602	64,582	0		179,917
Lower North Ditto 5,816	16,865	25,570	244		
Upper South Ditto ...4,476	7,310	18,153	170		
Lower South Ditto 2,841	17,185	9,898	0		

But the Magistrates in their report calculated as follows—

Upper-roomed Houses 5,430	×16=86,880	230,552
Lower ditto ditto..... 8,800	× 8=70,400	
Tiled Huts 15 792÷4×5½=21,714		
Straw Huts 35,497÷4×5½=51,558		
But making certain Allowances, their definite calculation was: Resident Inhabitants		205 600
Influx daily.		100,000
In 1831, Captain Steel made it		187,081
Captain Birch's calculation is ..		229,714
And the daily influx about.....		150,000

The above calculations do not include Kidderpore, Garden Reach, Seebpore, Howrah, Sulkea, Cossipore, or the *other* side of "the Ditch."—*Bengal Herald, Feb.* 9.

In the *Herald* of the 9th ultimo was published a census of the City of Calcutta, by Captain Birch. It will, perhaps, not be uninteresting at this period, to take a retrospect of the origin and early history of this city, and the steps by which it has reached its present position.

In the year 1698, the English, who had already established themselves in these parts as merchants, and had obtained a *firman* from the Emperor of Delhi, to carry on their commercial transactions, being annoyed by the intrigues of the Dutch, sent their agent, Mr. Walsh, to Prince Azeem Ooshan, one of the grand-sons of the Emperor Aurungzebe, who was then at the head of affairs in Bengal; and solicited from him, among other privilleges, the grant of the villages of Sutanutty, Govindpoor, and Colicotta, *Kali Kurta*. After a delay of two years in negotiations, the above villages were purchased by the Company from the zemindars to whom these places belonged. These possessions extended about three miles on the eastern side of the Bhagurutty river, and about one mile inland. The name Calcutta, some say, was derived from the goddess Kaly, to whom a temple is dedicated, the same which now stands at

Kaly-ghat. The English factory, which had been fortified to resist the attacks of the various rebels who disturbed the lower provinces, received about this time the appellation of Fort William, in honor of the then reigning sovereign of England. In consequence of the security afforded to property within the Company's possessions, and facility for trade, several opulent natives were soon induced to make Calcutta their residence. This circumstance, however, excited the jealousy of the Fouzdar of Hooghly, who wanted to send his people to administer justice to the natives living under the protection of the English flag: but he was prevented by the same means as those which had obtained for the English the possession of these places, viz. large bribes to the Prince Azeem Oosban.

About the year 1715, that is ten years after the purchase of the villages of *Kali Kattá*, &c. we find the new town in a flourishing state. It was then inhabited by several Portuguese, Armenian, Hindoo, and Mogul merchants, who carried on their commerce under the protection of the English. The shipping in the port at this period amounted to about ten thousand tons. The English authorities, however, found it necessary to conciliate the Nawab frequently, by presents, in order to carry on their commerce without molestation at the subordinate factories. The security of property and freedom of trade allowed within the English possessions, caused the town to increase in prosperity.

Things continued in this state until Serajood-Dowlah, in 1756, took into his hands the uncontrouled Government of Bengal. Among other acts of oppression, he demanded from Rajbullub, the Deputy Governor of Dacca, a large sum of money, and so alarmed him, that he privately sent off his family and property to Calcutta. The refusal of the English to give up to the Nawab Kishenbullub, the son of Rajbullub, exceedingly irritated Serajood-Dowlah, and he returned his wrath from every other quarter against the English. One of his first acts of aggression was, the taking of the factory at Cossimbazar by force, and imprisoning the Englishmen he found there. He then proceeded directly towards Calcutta. The Hindoo and Mogul merchants residing at Calcutta in vain endeavoured to assuage the anger of the Nawab, who appeared determined to attack Calcutta. At this critical juncture, the English applied for help to the Dutch and the French, who both declined assistance, the latter adding an insulting offer of protection to the English, if they would proceed to Chandernagore. On the 15th of June, 1756, the fort was besieged by the Nawab's troops. This building was situated on the Banks of the river: its length from east to west was two hundred and ten yards, its breath on the south side was a hundred and thirty yards, and on the north only one hundred yards: it had four bastions, mounting each ten guns. The gate-way on the eastern side projected and mounted five guns, and along the river a line of heavy cannon was mounted in embrasures of solid masonry. But as this fort was entirely overlooked by the buildings in the town, which fell into the hands of the Nawab, resistance became impossible. On the 18th of June the out posts were stormed by the besiegers, which caused the Native troops, hired by the English, amounting to 1,500 men, to desert. The besiegers in a few days obliged Mr. Drake, the governor, to take refuge in a ship then anchored in the river, leaving in the fort 1 0 Europeans, with Mr. Holwell, one of the members of council at their head. These also wanted to embark, but no ship would come near the fort for fear of the firing kept up by the Nawab's troops. Notwithstanding every effort of the besieged, the fort was taken by storm on the 20th of June, whilst Mr. Holwell was treating with the Nawab the terms of capitulation. The English then surrendered their arms, and the Nawab's people desisted from bloodshed Having thus got possession of the fort, the Nuwab sent for Mr. Holwell, and after enquiring about the treasures which he said the English had hidden there, dismissed him with assurances of safety. On his return to his companions, who were then 146 persons, he found them surrounded by a strong guard. About seven o'clock in the evening of the 20th June, these unfortunate people were locked up in a room used for the confinement of disorderly soldiers, which was not above 20 feet square. The time of the year, which is well known for its heat in this climate, and the smallness of the room, caused 123 of these miserable sufferers to expire in the same night. The next morning only 23, among whom was Mr. Holwell, were taken out, scarcely able to stand The spot, called the black hole, where this room stood, is situated just at the north-west corner of the Tank square, where at present a triangular patch of grass may be seen. On this spot Mr Holwell afterwards caused a monument to be erected, which has since been removed.

The nawab, after a short stay, returned to Moorshedabad, leaving Manick Chaund, the Fouzdar of Hooghly, in charge of Calcutta, with a garrison of 3,000 men. Mr. Holwell and the other survivers from the black hole were soon after released, and joining Mr. Drake and those who had taken shelter in the ship, continued there until news having reached Madras, an expidition was proposed against the Nawab, which, conducted by Admiral Watson and Lord Clive, re-took Calcutta in January 1757, and though the Nawab brought a large force against them, he could not drive out the English from their possessions. A treaty was the consequence, and since that time to the present, Calcutta has remained in the undisturbed possession of the English, daily increasing in importance, wealth, and prosperity.

The contrast, between the position of Calcutta in 1756, as shewn by the foregoing accounts, and that which it at present occupies as the capital of the most powerful country in Asia, is so striking, that it cannot escape the

eye of the most negligent observer. There is no comparison between its present condition and that in which it was at the time to which the above account relates. With the increase of the British possessions the seat of their government has continued to increase. The population of a city, circumstanced as this has been, would, no doubt, increase in proportion. Now, we find, by a report of Mr. Holwell to Mr. Drake, the Governor of Fort William, that the Town of Calcutta was in his time divided into four principal districts, viz. Dee Calcutta, Govindpoor, Soota Nutty, and Bazar Calcutta. These four districts contained 5,472½ bigahs of ground, on which the Company received ground rent at three rupees per bigah, per annum, some few places excepted as lakheraje or rent free lands. Besides the above lands, there were also 3,000 bigahs possessed by proprietors independent of the English; but situate within the bounds of the Company. The number of houses in Calcutta at that time, Mr. Holwell says, was 51,132 and reckoning 8 inhabitants to each house, which he considers a very moderate estimate, he states the number of souls in Calcutta at 4,09,056 as the constant inhabitants of the town, without reckoning those that came in and went out.

In the year 1800, according to the report of the police committee, furnished to Lord Mornington, the population was stated at 5,000,000; and in 1814, according to the calculation of Chief Justice, Sir Hyde East, it amounted to 7,00,000. These calculations are supposed by some to have included the suburbs of Calcutta and Garden Reach. But Mr. Holwell's account, which assigns to Calcutta about 4,09,056 inhabitants in 1752, beats out the calculations made in 1800 and 1814. There can be no doubt, as we have stated above, that the population of this city has been on the increase since. Accordingly, at the present moment, the number of souls in Calcutta ought to be considerably more than at the time of Mr. Holwell. But instead of it, we find by the census of Captain Birch, that they amount to 2,29,714 only about one-half the number stated by Mr. Holwell. Under these circumstances we would have been inclined to doubt the correctness of Captain Birch's census; but, by the following statements, we find it apparently borne out:—

In 1824, five assessors were appointed, by whose calculations the population of Calcutta amounted to 1,79,917. But the Magistrates in their report calculated as follows.

Upper-roomed Houses 5,430	×16=86,880	2,30,552
Lower ditto ditto.... 8,800	× 8=70,400	
Tiled Huts 15,790÷4×5½=21,714		
Straw ditto 35,497÷4×5½=51 558		

But making certain allowances their definite calculation was { Resident Inhabitants 2,05 600 / Influx daily 1,00,000

In 1831, Captain Steel made it 187,081

These calculations do not agree with each other, and they differ very widely from the former calculations. But there are two circumstances which make us very doubtful as to the accuracy of the date on which Captain Birch's calculations are based. The one is that Captain Birch states the total number of houses in Calcutta at 65,495, and the total number of occupiers at 2,29,714, which gives an average of a little above 3 souls for each house. Now, according to Mr. Holwell, 8 souls per each is a moderate estimate, and we know it, from personal knowledge, that 5 souls per each house is considered a scanty population in the interior. There can be no doubt that in Calcutta, particularly the Native parts, where the rent is high and many more persons congregated together than in the villages, a higher average, viz. that of Mr. Holwell, would be nearer the truth. Therefore, if we reckon 8 souls per house, which is an opinion we have heard hundreds express, and take for granted that the number of houses stated by Captain Birch is correct, we would have the population, calculated on these data, to amount to (65.495, × 8 =) 5,23,260, which is a near approximation to the calculations we have quoted above.

The other circumstance which inclines us to doubt the accuracy of the calculations made by Captain Birch is, that at the time he sent out the Police peons to make the enquiry, people had an impression, on their minds, that the Inland and Town duties having been abolished, it was intended to levy some other tax instead, and that the enquiries were being made in order to ascertain the extent to which each house could be taxed. This led the people to mention a much fewer number of inmates than was really the case, and this sort of false report was given more in regard to the females whom they are always anxious to keep out of sight, and, who being generally in the purdah, their exact number is much more difficult to ascertain. Hence we believe the males are stated by Captain Birch at 144,811 and the females at only..... 84,803

2,29,714

On these grounds we very much doubt the accuracy of the census given by Captain Birch, and the others which approximate to it. We should, however, like to see this question settled on unquestionable data, so far at least as such data are obtainable in a work of this description.—*Bengal Herald, March* 12.

RESUMPTION OF RENT FREE TENURES—CHITAGONG.

To the Right Honorable GEORGE LORD AUCKLAND, *Governor-General of India in Council.*

The Humble Petition of the undersigned Inhabitants of Chittagong.

SHEWETH,—That your petitioners beg leave most respectfully to lay their grievances before your Lordship in Council, in the sanguine hope that they will meet with that relief which is so loudly called for from your Lordship's just and humane consideration.

That on the 19th September last, Mr.——, the Magistrate and Collector, issued notifications

for general information conveying orders of Government to measure the lands belonging to them, and subsequently accompanied by 3 or 4 thousand men, attacked their properties,under the plea of carrying the above orders into effect previous to the reaping of the harvest. That your petitioners finding themselves on the brink of ruin, and trusting to the solemn pledge of the British Government, laid down in the Regulations I, XIX, and XXXVII of 1773, and II of 1819, and III of 1828, and others strictly prohibiting any interference of public authorties, with such lands as have come under the Decennial settlement, as is the case with regard to your petitioners' tenures, they unanimously asked Mr. Harvey to satisfy them as to his authority, for infringement of the above Regulations of Government before he adopted such a ruinous measure. But instead of giving any direct answer to their inquiries, he set about committing violence upon them and their families, in disregard to all intentions of law, justice, and humanity. And though your petitioners offered no resistance, which from the timidity of their character, it is utterly impossible even to suppose that they, as poor and weak subjects, could ever have attempted, Mr Harvey misrepresented to the Government that they had rebelled against the orders of Government and called for military aid to suppress them. Your petitioners are astonished at this requistion of Mr. Harvey, for your petitioners could never have dreamt of committing any disturbance; but your petitioners firmly believe, that his representation has been made purposely with the view of exculpating himself from the outrages perpetrated over them, as on investigation your Lordship will find, that Mr. Harvey, under the cover of measuring the lands as above set forth, insulted, struck, and wounded several men in the most cruel and barbarous manner, and ultimately actually murdered 2 men of the name of Doman and Ramjoy, and wounded 5 others in the village of Onwarah by musket shots: and in like manner Humudullah, the Deputy Collector, hurt 2 men in such a manner, that their lives are at stake: the intelligence of these horrible murders have been received by dawk yesterday, by a letter dated 21st Pows, Chittagong. Now, your petitioners submit that, if it be the intention of Government to depopulate the country, Mr. Harvey can in that case only be justifiable for adopting such violent proceedings. That from the years 1704, 1802, and 1820, the public functionaries were appointed to measure and examine the lands, but your petitioners have always submitted to the orders of Government, and sought for redress through legal channels and neither by arms nor weapons.

That your petitioners are now much purturbed in mind, and therefore they cannot at present represent their hard case in detail, which they will hereafter have themselves the honor of doing.

That your petitioners therefore, seeing their ruin and destruction nigh at hand, from the desperate conduct of the collector, have recourse to your Lordship in Council, to pray that you will kindly be pleased to issue orders upon the Sessions Judge and his assistants to institute immediate enquires into the tragical events that have taken place and are going on at Chittagong, and grant them effectual redress.

And your petitioners as in duty bound, shall ever pray.

(Sd)' KISHUNOKISHORE MOCKTARKAR, for
' " FUTTAY ALLEE.
" BUXALLE',
" AUBDOLLAH, *&c. Tolookdars of Chittagong.*

Calcutta, 9th Jan 1837.

To His Excellency the Most Noble LORD GEORGE AUCKLAND, *G C B. and K. C. B., Governor-General of Bengal.*

The humble petition of the undersigners, Zeemindars, Talookdars, Lackrajeun Ryots, &c, &c. inhabitants of Zillah Chittagong.

MAY IT PLEASE YOUR LORDSHIP, -That your unfortunate andmiserable petitionershave most respectfully taken the freedom of presuming to lay their wretched penury and circumstances into your Lordship's due, kind and lenient consideration; they trust that your Lordship will with mercy pardon the liberty thus taken in obtruding on your Lordship's most precious moments of business, but humbly solicit that their case may be awarded with compassion and ample justices through the wisdom of Government and your Lordship, and whereby your Lordship's Petitioners will be saved from utter distress and complete ruin, they now apprehend from the Collector of this district Mr. Harvey.

Standing orders of Government as per Regulation on account of measurement of lands, vide 1192 M.S. Dossala bundobust of 1126, M. S. appertaining to Lukherajand Keriauj lands, and fixed Revenue have been established, including whatever quantity of ground then came within the measurement. We do not expect juriof should be made on those ground and for the protection of the said lands the undermentioned regulations was then enacted and proposed by the orders of Government, namely 1793 English stile, first Regulation and 19 ditto 1819, E. S. 2d Regulation, 19th section, 1825, E. S. 14 Regulation, 1828, E. S. 3 Regulation, besides others, supporting infringement or exemption at my time may be made on the ground measured in 1192 M. S. in evidence to the above regulations and no injustice has ever since taken place. The measurement that took place by orders of Governme in the following years 1132 M. S. 1150 M. S. nt 1162 M. S. and 1182 M. S. exempting the Lakheirauj Dossala Bundobust measurement that took place, and to this day those ground have not been infringed by any Collectors.

The Collector, Mr. John Inglish Harvey, having with obduracy resolved and determined to have the whole of the lands of all denominations, Lukheraj, Dossala Bundobust of 1126

M. S. to be measured, whereas being direct apparent controverse to the above regulations and other standing orders of his most Excellency the Lord Cornwallis deceasd, then Governor General in Council of India in Bengal, should he the Collector act contrary to these regulations, a serious havoc and devastation at Chittagong will be attended and ruin the zemindars, Lackrajdars, Talookdars, Ryots and others, and whereby Government will sustain a considerable and heavy loss from direct unlawful pursuit.

The orders that Government in Council have been pleased to issue at the instance of Mr. Harvey for measuring the lands at Chittagong, Mr. Harvey the Collector does not proclaim the same for the information of the zemindars and others, but keeps such orders, in obscurity. We are confident that the wisdom of Government in Council are not a Tyrants on the poor unfortunate land holders of this district. In the event of our prayers not meeting the approbation and favorable consideration of Government, therefore we consider the state will be pleased to issue a proclamation to put an end to the lives of the whole of the inhabitants, which will at once be far better for Government to wrench their properties without employing any individuals to degrade their Lordship's respectable zemindars and others when they are unjustly deprived of their possession by an unmerciful ruler, when they will consider themselves that Government will have an end to do with the poor unfortunate inhabitants.

We the undersigners, beg most respectfully to inform your Lordship that the present Collector retains partly disqualified officers not versed in the Bengallee language, partly being individuals that committed heinous crimes in the civil cases, should your Lordship be graciously pleased to ascertain the truth of this charge, reference may be ordered by your Lordship on Mr. H. Moore, the judge, to examine the qualification of the Deputy Collectors in the language above noted.

With respect to the Lackrauj ground, the Collector Mr. Harvey having at his instance appointed Tussildars in very thannah, that Lackeirauj ground rent being removed or made Baydacul without orders of your Lordship in Council, the reverence of such ground forcibly taken from the possessors by seizing their properties such as cattle of all description, pady, and whereby they utterly ruin the individuals. Should Tehsseeldars recover unjustly from the Lackeirauj land one hundred rupees on the part of Government, the poor inhabitants suffer a loss of another hundred rupees for the groundless expences on account of peons is charge &c. &c. &c. We the poor inhabitants still considers that the Government orders are not infringed. We consider ourselves that a special Commissioner stationed at Calcutta, also in every Zillahs. What could induce the Collector Mr. Harvey to act contrary to the rules and Regulations, also exercise such unmercifully injuries to the inhabitants, whereby the individuals are brought down to the lowest deprecation for all means of common necessaries, and comforts of lives ? Government should be pleased to issue a proclamation to put an end to the lives of all the inhabitants, which will be far better, and convey their properties of whatever kind, for the benefit of the state. Since the consolidation of the magistracy of Collectorships to the country stands under jeopardy. Should the Collector act contrary, the Magistrate would act upon the authority of the Regulations by which he is authorized to discharge his duty. Since Mr. Harvey has been appointed to the Collectorship and Magistracy his power is attend with all manner of disparagement, oppressions and aggravation on the poor inhabitants. During this month Mr. Harvey having been to the Mofussil under plea to measure Noahbad Lands, he has ordered the Deputy Collectors to measure the Dussala bundobust and Lackeirauj of 1126 M. S. consequently having taken the whole of the Burkundazes attached to Jail duty, seizing all the inhabitants, drawing sword himself to kill them, your Lordship will be kindly pleased to view the Collector Mr. Harvey how great he stands in the Mofussil, contrary to Regulations, Orders, &c. &c., and more so breaking the peace of the country, whereas he is ordered to keep the district from all manner of depredations.

Are the bundobust that have made through the Collector of Lakkeirauj lands, through force and oppression, none willingly come forward to do so, on account of the two offices being under one control, and then the Collector makes his reports that the Zemindars came willing to a settlement whereas the case is not so.

We the undersigners at the conclusion of this application, beg most respectfully to urge that your Lordship in Council will be graciously pleased to view their miserable case into your Lordships lenient consideration, to dispense the admeasurement till the pleasure of our Lordship in council is known, respecting the unjust report made by Mr. Harvey to ruin the the country through oppression on the Lakheirauj lands, and Dussala bundobust in 1126, M. S., and till the Regulations exist, otherwise the whole of the country will stand to dessolation and ruin, and will take along time to make population and beneficial to Government in yielding revenue. Your Lordship taken their prayers into consideration, and affording justice, heaven will reward your Lordship's bounty accordingly.

REPLY TO THE ABOVE.

To the Petitioning Zemindars, Talookdars, Lakhirajdars, and Ryots of Zillah Chittagong.

Revenue. The Right Hon'ble the Governor-General of Bengal having had before him your petition complaining, generally, of the survey of zillah Chittagong, and particularly

of the proceedings of Mr. Collector Harvey, I am directed to communicate as follows in reply.

2. You in common with all the subjects of the Hon'ble Company are under the protection of the Laws. If you have been in any respect wronged by the local revenue authorities, the Courts of Law are open to your complaints, and will award you justice against the Collector, as against any other person.

But violent resistence of the proceedings of that officer, which the Governor regrets to hear has been attempted, cannot be permitted; and those who are so unwise as to make such resistance, will assuredly fall under the cognizance of the law and be severely punished, as an example to others and for the maintenance of the public peace.

3. His Lordship is afraid from the general tenor of your petition, but more especially from the mistakes in regard to the law with which it abounds, that evil disposed persons have been misleading you with misrepresentations upon that head. There is nothing repugnant to the Laws of 1793, relative to the permanent settlement, in the measurement of Chittagong now in progress, and Section VIII. Regulation II. of 1819, and Clause 3d Section V. Regulation IX of 1825 distinctly sanction such a proceeding, the former, under the authority of the Board of Revenue, the latter at the discretion of the Collector himself. But in the present instance, the state of Zillah Chittagong, as regards the confusion, and intermixture of its tenures, the quantity of land held free of assessment upon mere assumption, without any valid title, and the impossibility of finding and recognizing lands either sold by the Collector for the recovery of arrears of Revenue, or in execution of Decrees of Court, or ordered by the Courts to be transferred from one party to another (as in the case of the well known Ghosal's Decree of the Sudder Court) all of which circumstances have combined to render the District notorious for the uncertainty of public, and of private rights,—had long engaged the attention of the Government and have led it, after consulting the officers best acquainted with the condition and wants of the District, and after careful deliberation upon their reports, to the conclusion, that the true interests of all honest persons would be best consulted by a complete survey of the whole district, which should ascertain and record the position and dimensions of every field which it contains, and the rights of every person having property in the soil.

4 This great operation, undertaken and carried on at heavy expence, will settle at once and for ever a thousand disputes which could not be decided by the most experienced and intelligent Judge, without such aid, in a manner satisfactory either to himself or to the parties concerned; and will eventually put an end to much expensive, vexatious, and irritating litigation, and it will doubtless, by the certainty of possession and facility of transfer which it will produce, add greatly to the value of every description of landed property.

5. You are also mistaken in supposing that either the conditions of the perpetual settlement, or any measurement that has ever taken place in Zillah Chittagong, has exempted the tenures of rent-free lands from examination as to their validity, or the lands themselves, on the tenures being proved invalid from assessment. Nothing can possibly be clearer upon this point than the words of Regulation I. of 1793,—the fundamental Law of the permanent settlement as copied in the margin. The records of the measurement of 1126 M. S to which you refer as a proof of the exemption from present assessment of the lands then claimed as Lakhiraj, only prove that the lands so entered were then so claimed; but the validity of each tenure must be duly investigated, before the lands can be decreed to be free for ever from all demand on the part of Government, under Regulations XIX. or XXXVII. of 1793, and Regulations II. of 1819, IX and XIV. of 1825 and III. of 1828.

"VIII. act VII.—third "The Governor-General in Council will impose such assessment as he may deem equitable on all lands at present alienated, and paying no public revenue, which have been or may be proved to be held under illegal or invalid titles. The assessment so imposed shall belong to Government and no proprietor of land will be entitled to any part of it."

6. As regards Turuf Estates, no land included in the permanent settlement can be re-assessed, and the only effect of the measurement will be to render such land very much more valuable than it is at present. But it is, at the same time, most just and reasonable that all Noabad land, and all land, of whatever denomination, not permanently assessed, and not held free of assessment on a valid tenure, should be made to bear its fair proportion of the public burthens. If the Collector, in pursuing this object, re-assess, by mistake, or a misapprehenson of rights, any land within the pale of the permanent settlement, the Court of the Commissioner is open to an appeal against his proceedings and there, doubtless, any person that may be aggrieved by the former officer will receive ample redress.

7. But His Lordship hopes and trusts, that no injustice will be done to any person. He believes that Mr. Harvey, against whose acts you complain, is a just and upright officer, intimately acquainted with the language of the people of Chittagong, with the proper rates of local assessment, and with the peculiar and difficult tenures of that district. In Mr. Dampier also, the Commissioner of the division, (to whom, if aggrieved by the Collector, you should have appealed in the first instance before petitioning Government) the Governor has great confidence, and he does not doubt that every well founded complaint will be readily received, and promptly redressed by

that officer. There is besides, as above pointed out, the Court of the Special Commissioner for all who are dissatisfied with the decisions of both the Collector and the Commissioner.

8. The legitimate course of proceeding, if you consider yourselves to be wronged in any respect, is pointed out to you in these orders upon your petition for the purpose of quieting your minds; and the local authorities will be enjoined to be perfectly accessible to all representations, and to act in a spirit of careful justice, and tender consideration for every existing right, especially for such claims as have any real basis upon the conditions of the permanent settlement, and the Governor will receive and attentively consider any petition which the Zemeendars may think fit to submit through the constituted authorities; but all representation of grievance from the survey must come through the Commissioner the Sudder Board. In the meanwhile it is the duty of all Zemeendars, Talookdars, Lakeerajdars, Putwarees and Ryots to pay implibedience in assisting the progress of the rvey to all the lawful requisitions of the Revenue authorities of the district under Sections VIII. to XIV. Regulation II. of 1819, and Section V. Regulation IX. of 1825. If contumacy or violence be attempted they will assuredly be put down and the criminals will be punished by the strong arm of the Law. But the Governor hopes, that after this explanation of his views and wishes, and his assurance that all who seek justice in a peaceable manner shall have their representations carefully attended to, you and all other persons in Zillah Chittagong, will give your best aid to the survey, and rest satisfied that no infringement of lawful rights will be permitted by the Government and that its officers in their present proceedings are acting under full legal sanction and authority.—By order of the Right Honorable the Governor of Bengal.

(Sd.) Ross Donelley Mangles,

Secy. to the Govt. of Bengal.

Fort William, the 10th Jan. 1837.

[*Ind. Gaz. Feb.* 10.

GOOMSOOR.

We willingly disturb the order we laid down for our remarks on the policy pursued by the British Indian Government towards the Native Princes and States, in order to arrive at once at the affairs of Goomsoor, which at this moment are more interesting to the public than those of any other part of India. Of the ancient History of Goomsoor we do not possess any record; and regarding the general features of the country scarcely any thing appears to have been known before the late campaign, except that it was an unexplored hilly tract, covered with jungle. Of the direction which the hills take, the passes which they afford, the rivers and streams which occupy the valleys, the sites of the various fortresses of the chiefs and of the villages of the Khonds who inhabit this tract, little or nothing was known. Our information extended only to the first range of the ghauts, beyond which all appears to have been *terra incognita*. Since the commencement of the late campaign, however, some information has been obtained. We find that Goomsoor may be considered as divided into two sections, that which occupies the plains and the low hills abounding in noxious marshes and almost impenetrable jungle, chiefly of bamboo, and that which lies above the ghauts, which has been found exceedingly fertile, abounding in the finest poultry, sheep, and cattle of various kinds. It is said that on the arrival of the troops at the top of the mountain, they discovered that this hitherto unknown country was full of beautiful villages in romantic situations, and that the country all around exhibited signs of agricultural industry and great plenty. But this sort of vague information is not what we require for the movements of corps in such a country. Long before now we ought to have had its topographical features accurately laid down. It appears that the Amlahs of the Local Civil officers, within whose sphere of authority this large zemindary has been, were interested in keeping from the eyes of their European superiors the real state of the country. Those who know the Amlahs of the Mofussil Courts, the great power they possess over their superiors, and the skill they display in mystifying every thing when it suits their purpose, will not be surprized to find that they had succeeded so well in keeping their employers ignorant of the general features of the district. It seems that great quantities of smuggled salt were wont to be conveyed into Berar and Central India, through the passes in the mountains which separate those hitherto unknown regions from the plains to the eastward.

The *Hurkaru* of the 4th October, alluding to this subject, says, upon the authority of the information that had been received, that "before the troops ascended the hills not a word had been breathed of the mountain passes, not a syllable heard of smiling villages or fertile valleys, or a happy and contended people, conspicuous for those mountain virtues, endurance, bravery, and invincible fidelity to their hereditary chiefs. That even six weeks after the troops had been under orders for the campaign not the site of a single village, fort, or stockade was known; not a route, or ford, or a single binjara ghaut ascertained, nor even where the great line of ghauts commenced—in a word not a single item of intelligence necessary to advance in an unknown country." Such is our want of information in regard, not only to Goomsoor, but the whole of that unexplored tract, the limits of which we have described in our last number.

We shall now lay before the reader some information regarding the policy adopted by the British Indian Government towards these people, which we derive chiefly from the official report of Mr. Thackeray to the Government of Fort St. George. "The permanent jumna of the zemindary of Goomsoor," says this officer, "is seventy thousand rupees: the annual revenue at least one lakh and a half rupees when under a Rajah's management and well managed. The Rajahs are said to have been always turbulent; but when the weakness of our Government for many years, and the strength and climate of this country are considered, it is only surprising how they were brought to pay their *peshcush* at all in times of public difficulty." Mr. Thackeray, adverting to the former treatment of Sirkara Bunge, the Rajah of these territories, says that "he was deprived of his possessions about the year 1801, because he had been so exasperated by oppression that the Collector could not treat with him Sirkara Bunge, he goes on, remained unmolested by the Circar officers for fifteen years after his deprivation. If he was accused sometimes by his son of making disturbances, he might retort that the mootah assigned for his maintenance had been taken from him. From 1801 to 1812 Sirkara Bunge as well as his son Dauunjiah Bunge, appear to have gone on well, because the provision made for him had been allowed and reported to Government, which at least tacitly acquiesced, and he went about for many years unmolested, until the new magistrate conceived it his duty to apprehend him, because the Government had desired some explanation of the extraordinary circumstances of a charge against the son being received from the father, who was in such a predicament as Sirkara Bunge. After he was apprehended, the Magistrate was at a loss on what charges he was to be tried. He seemed to have led a long and inoffensive life, with the exception of the short period about 1800 and 1801; and his offences, whatever they might have been during that period, may be supposed sufficiently punished by the deprivation, poverty, and imprisonment he had suffered since. It is a pity he was not formally pardoned some years ago. His escape from the guard could hardly be considered a crime. He was apprehended when he and every body thought his former offences, whatever they might have been, were forgotten, if not forgiven, and when he was coming in, in fact, under what may be considered a cowle from the late Magistrate to prosecute his son. He was confined a long time without inquiry; and considering his time of life, habits, and situation, may be easily supposed to have found so long an imprisonment too irksome not to escape if an opportunity offered. After his escape he went to his native hills, and in a short time got possession of the vacant raje.

With respect to the resistance of process for which the zemindary was declared forfeited, it may be said in his favour, he never opposed the Government, only the constables; that the forfeiture of his zemindary, which to an Indian chief is ruin, and generally imprisonment, was perhaps too severe a punishment for such an offence, that, at all events, it was hard the whole family should suffer so much for the offence of an individual; that it is not the custom of the country to deprive the family of the zemindary, though one member may be expelled. It was not surprising, Mr. Thackeray goes on, that this Rajah should have opposed the police in August 1813, when not much more than a month before his palankeen it seems had been stopped, and his sword and gun taken away, and, as he said, his women insulted by the police officers at Nowgaum: and it is to be observed, the Rajah seemed to have attributed this insult to Mr. Woodcock himself, for he said no inferior officer would have done so without some idea of its being acceptable to his superior. It seems the Rajah was in the right in this instance, for the police Soobadar was punished for his conduct. It appears, indeed, from every paper, that the Rajah was always squabbling with the police stationed in his country; and Mr. Thackeray has no doubt, from this and other instances, that his complaints of their misconduct were well grounded. From Mr. Woodcock's being obliged to punish the Soobadar, it may be inferred, that their usual conduct was at least not very conciliating. Sending such people into such a zemindary was itself almost enough to drive the Rajah into rebellion. The Rajah's conduct was, no doubt, intemperate and illegal; but considering his situation, and provocation, this offence was not so great as to demand the ruin of one of the first families in the country. If any other of the Rajahs were provoked, in an unlucky moment, in the same way, he might be equally expected to do something to bring on the forfeiture of his zemindary.

Mr. Thackeray considers the sending of the police at all into this zemindary contrary to custom, and a dangerous measure; and says it must, and by Mr. Woodcock's own account, did irritate the Rajah, and may be considered immediately conducive to his phrensy, while

it could be no real check upon him. He quotes Mr. Woodcock as follows:—"It was not until the middle of the year 1814 that any material occurrence in this zemindary was brought to my notice: but about this time the zemindar appears to have lost all control over his passion, venting it at one time on his immediate dependents, at another in language highly indecent and offensive, addressed directly or indirectly to the Magistrate; and finally, on finding himself foiled in obtaining a favourite, but altogether unwarrantable object, in coming to the desperate resolution of driving out of the zemindary every police officer whom he considered, though unhappily they have proved, but a slight check upon his criminal proceedings." The irritation and uselessness of the police seem admitted here, and all the circumstances shew they did harm, but no good. Police in such a zemindary must always have the same effects. This is even supposing the conduct of the police unexceptionable: their conduct was, however, there is reason to suppose, exceptionable, and therefore the consequences must have been still worse.

In a quarrel of this kind, the Rajah may say, "I am a Company's zemindar; I pay them a great *peshcush*; I am one of the first men in this country; I am treated with distinguished compliments, whenever I visit the officers of the Company; I am one of the ancient nobility of the country, a tributary prince rather than a subject. Why am I obliged to account for my conduct to such low people as you police officers? I am much more worthy of trust than you: I have more at stake. Why do the gentlemen prefer you and your word to me and mine? Why am I plagued with you? No former government ever sent such a set of people into my country: it is against custom, and my honour and tranquillity. If I do not make a stand now, what else may I not expect?"

It is evident, from Mr. Woodcock's letters, says Mr. Thackeray, that the Rajah argued in this manner. He disapproves of the attempt to lower the authority of the Rajahs in these hill zemindaries, and considers the sending of police officers into the country one of the most odious and dangerous modes of attempting it. He thinks the Rajah the natural head of the country, the only efficient channel of Sircar control and influence. When one Rajah behaves ill he may be set aside, and another put up in his place; but the office cannot be lowered, in the present state of these countries, without danger. The Rajah has a valuable country and great income, a reputation to preserve, generally some treasure, a large family. He has a great deal that is tangible; he is always tangible till desperate. The Government can generally come upon him, at least much easier than upon most others in the country. He is therefore a safer instrument than Sircar servants, who may run away, or the womayots of hill chiefs and the peons, who are hardly in any way tangible to the Sircar except through the Rajah. The veneration in which the hill chiefs and peons hold the Rajah is almost the only hold we now have upon this troublesome race. These people can almost always elude us: we can never come in contact with them. We can substitute no principle for their loyalty to their Rajah. We have a hold on the Rajah, and through him on his peons; destroy his authority, and you destroy your own. We must be very sure of our new system before we try to shake the old. These unwholesome vallies have been reclaimed from the jungle, and cultivated and peopled under the protection and government of these Rajahs, and the Conds have been subdued and are now kept in order by them. The great extent of paddy fields is at least one proof of good government. The more we respect custom the stronger we shall be. When once we give up, or require more than custom, which in India is justice, we are repaid with imposition or resistance; if we set aside custom we teach the people to dispute every thing: it is weakening our own claims. If we exact or impose more, or in a new way, we must expect opposition or evasion, and, at all events, shake that veneration for custom, which is what chiefly makes the government of this country, in general, so easy. We must improve the people here through the Rajahs. The Rajahs have great faults; but if not now better, are from their rank and wealth likely to become better than the other inhabitants of their countries. On all these grounds, Danunjiah Bunge had a right, at all events, to complain of the police sent into the country; and it is evident, from several circumstances, their conduct was not unexceptionable. The new Regulations of 1816 positively forbid the introduction of police into these zemindaries when they have not been usual. Danunjiah Bunge resisted what the Regulations have since prohibited. Speaking of the consequence of the policy then adopted in regard to Goomsoor, Mr. Thackeray observes:—that the obligation of the Government to notice and punish the crimes of which the Rajah was accused, produced the Goomsoor disturbances. "After all, what good has been done? The Rajah was acquitted. If he was guilty, justice was not vindicated; if innocent, his injuries are very great indeed. It may be safely asserted that, perhaps, our interference to punish these supposed murders, has only added evil to evil. The loss of his zemindary is a consequence, not of the cruelties of which he was acquitted, but of a resistance for which there is much to plead in excuse. Besides the evils he has suffered, many brave men have lost their lives from the climate of Goomsoor, a great many innocent people have been driven from the homes and avocations. The expense, at the same time, of this kind of Circar management has been enormous. There have been three or four hundred regular sepoys in the country, detached from the battalion which seems to have been kept at Askah entirely for the protection of Goomsoor; so that the whole expense of this battalion, about two lacs and a half of rupees a year, is to be set against the revenue we have got: and besides this battalion, the aumeen and sibbendy es-

tablishment employed in the zemindary, cost 24,240 rupees a year. The battalion at Askah is said to have been nearly ruined in this service.

Such has been the wretched policy which first destroyed the peace of mind and comforts of these simple mountaineers. Even the very functionaries of the state, who would naturally be disposed to speak rather in favor than against the measures of their superiors, have unhesitatingly condemned the policy adopted towards Goomsoor, as illiberal, unsuited to the people, unjust to their chiefs, and tyrannical in the extreme. Mr. Thackeray very ably points out the errors committed by the Government in adopting coerceive measures against these people, when a conciliatory course would have gained all that could be desired from them.

After all these errors which had been committed in the management of Goomsoor, before the period of Mr. Thackeray's report, it may be expected that the Government would, by sad experience, have grown wiser, and in its future transactions with these people adopt a different course of proceedings. But no, the late campaign unfortunately betrays all that weakness of judgment, that incoherency of plans, and those wanton cruelties and sacrifices which distinguished the proceeding of the former Governments, in regard to these people. We have neither space nor would it be interesting at this moment to enter into a detail of the errors that have been committed in the late campaign. This, our contemporary of the *Hurkaru*, whose daily paper affords him better opportunities of doing justice to the task, has done in a masterly style, in various articles which have appeared in that paper since the commencement of the late operations against Goomsoor. We shall merely enumerate the heads of some of the charges which the *Hurkaru* has established against Government on this occasion. They are the following—

1st. That the force first arrayed in Goomsoor was numerically unequal to the expected operations.

2ndly. That this force was brought up to act and to suffer in detail.

3rdly. That it was ineffectively, and unfortunately handled in the field.

4thly. That the arrangements for the supply of provisions, necessaries, field comforts, and carriage, were incredibly defective.

5thly. That sanatary provisions, the necessity for which upon an extraordinary scale, every circumstance conspired to indicate, were wanting in a degree rarely paralleled in the history of war.

From arrangements such as these, what could be expected but that disappointment which has been the result of this campaign. Dora Bisoy, against whom the arm of this Government had been stretched, has made his escape among the hills of this unexplored—unknown country, and all the efforts of the troops sent against him have not succeeded in discovering the place of his retreat. The fidelity of his clans has, however, stood the shock, and amidst the desolations of war remained unshaken. The sacrifice of life and treasure on the part of Government has been great; and the only object attained has been the desolation of a smiling province in search of a chief who has at last escaped. But, if the loss of Government in the pursuit of this phantom has been great, the loss to the country which has been the scene of these military operations, has been greater. The following spirited picture of these works of destruction, which by its lively imagery and graphic description speaks home to the heart, we copy from the *Hurkaru* of the 27th December.

"The whole Khond country in immediate connection with Goomsoor, with the exception of a section of the Boorioo Des, has been ravaged by the troops, and the peon lives taken, in a fashion known more probably to the imagination of Burke, than to the practice of Hyder Ali. Beneath an edict of extermination, sparing only women and children, and of destruction to every form of property? the country has been depopulated. The inhabitants, mostly, by flight anticipated the sword. Its fair tracts, which often resembled one continuous hamlet, embosomed in ripe cornfields, stored with grain, and teeming with every variety of live stock, are a spoiled, blackened, and smouldering desert. A holocaust on the shrine of fatuitous ignorance and imbecility. The spirit of the execution of this measure, by the *undisciplined* levy which co-operate in the work, may be imagined, when it obtains general credence in camp, that an officer deemed it to be his duty in one district to compel the wretched women found in the villages to reap their own grain at the bayonet's point, and then to add to the flames which consumed the miserable remnants of clothing left to protect them and their homeless and famishing offspring from the blasts of these mountain allies. God! what work, and against a race whose net crime has been the rare virtue of barren but invincible devotedness to a Chief, in his turn desperately true to a bond of fealty self-imposed at Juggernaut, in oblivion of old enmity with the state of Goomsoor! A barbarian tribe to whom our name and power and supreme pretentions were but yester day known, as were those of the Roman empire to the obscurest clan beyond the wall of Severus—a wild, nameless race, whose inviolate fidelity and heroic self-sacrifice, if neither sanctified by association with opinions, nor gilded by the foil of legitimate loyalty, is yet unsurpassed where the spirit of fealty has been most sternly tested—in the rebel land of the Stuarts, in that of Gesner, and that of La Jaquelin. We do not now moot the question of the policy or justifiableness of the dire ultimate measure which has been put in force; and we derive no argument from its immediate failure. At this stage of the proceedings no alternative of better promise may have appeared to exist. The expectation that the passive resolution of the Khonds (for *they* have scarcely struck a blow) would at length falter, may have been legitimate, in *so far* legitimizing the act of the Commander and of the Madras Government."

Since the date of the above sketch to the end of last month the fruitless search after

the fugitive chief had been continued with all its desolating and frightful accompanyments. A correspondent in the *Hurkaru* of the 27th ultimo says :—

"The troops continue to beat the country night and day; and wearied, hardened, and disgusted by their debasing labor, often destroy every form of life. The Khonds now and then emerge from their lurking places and cut off a solitary straggler, thus sharpening the rage of their pursuers. Before one of the earliest swoops of the campaign, and through an error, in which it is said that the Collector, in the absence of Mr. Russel participated, a crowd of miserable men, believing for an hour that safety was to be found in *submission*, pressed into camp. The Commissioner deemed it to be his duty (and we do not now moot the question of his policy) to command the misguided wretches to be sent forth again to abide the chances of the war. We do not now speak as the instincts of nature prompt. we contemplate all the difficulties of the dreadful case but if policy has claims has humanity ceased to have rights? If no internecine passage of modern civil war, in the Morea, in Navarre, amongst the Andes, has produced agonies so various, so prolonged, and so inevitable alike to innocent and guilty, as those of Goomsoor, and if the Khond race prefers to perish beneath untold tortures, rather than to bring bound to our scaffolds its natural heads, where amongst protectors and protected is the descending series of the successively proscribed to determine? What, in the sacred name of mercy, is to be its dread sum?"

All that has been said and quoted above tends to prove that the immense sacrifice of life, both on the side of Government and the people of these wild regions, has been owing to the absence of a free intercourse with them. Had these people been fully acquainted with our superior force, the means we possess of destroying their country, and the determined character of our proceedings, by which a whole army at the greatest sacrifice pours down upon any country even in pursuit of a single object of its vengeance, it is certain they would never have provoked the sleeping lion to lay waste their lands. The war whose disastrous consequences we have been describing, in all likelihood would not have occurred, had these people been fully impressed with the notion of our immense superiority over them. A free intercourse with their country would have supplied this desideratum, the more so as our acquaintance with the locality would have deprived them of the only chance they have of disappointing us, viz., by hiding themselves in parts to us totally unknown. Conscious of our ignorance of these tracts, they provoke our resentment and set us at defiance upon the hope, even if defeated, of being saved by hiding in their unexplored jungles and mountains.

On the other hand if we possessed as good a knowledge of these parts as we have of the other provinces of the empire, and these people notwithstanding had offended the Government, the means of securing the object of our vengeance at a trifling cost would have been in our hands. We might then have put down the Goomsoor ploughmen at as little cost as we put down the Rajeshahy weavers, or the Chittagong zemindars, without the loss of a single life on our part, and with but very trifling loss of life and property on the part of the poor, misguided and exasperated peasantry. The idea of sending a regular armament, composed of several regiments, to quell a few dissatisfied, tributary zemindars whose tenants are the only force they can bring in defence, and these tenants a rude and ignorant horde of savages, would, under ordinary circumstances, be deemed ridiculous: it would be something like going about to kill a fly with a ponderous sledge hammer. But the case of Goomsoor is not an ordinary one, our ignorance of it and of a large tract of country beyond it is extraordinary, requiring such extraordinary means as have been lately called into requisition. The *Hurkaru* says, and justly, that the force first arrayed in Goomsoor was numerically unequal to the expected operations; for, extraordinary as the force taken against Goomsoor may appear, when compared with the zemindary disturbances which occasionally take place in other districts, in the case of that Zemindary it is considered inadequate: a greater force was necessary to insure success. And why? because the country which formed the field of operation was unknown to us, and our ignorance and want of control afforded to a handful of savages the means of successfully setting us at naught.

In whatever light we view the subject, it cannot be denied that the great error in our policy towards Goomsoor and the other neighbouring states, from the commencement, has been the neglect, in time of peace, to open a free intercourse with these people, to become fully acquainted with their country, and to let their interests be united in the bonds of commerce with the interests of the people of our provinces in the plains. To our neglect in these particulars must be attributed the whole of the evils that have been the consequence of the late Campaign. All the other errors of detail which we have enumerated above, as taken from the columns of the *Hurkaru*, are but the branches of this one great error, committed, not now, not when the people of these districts had taken up arms against us, not three or four years ago when private individuals called the attention of Government to their neglect in this particular, but before, when we were at perfect peace with these people. It is then that we might have disarmed them without shedding a drop of blood, converted their arrows and battle axes into implements of agriculture, and brought their chiefs decorated with the plumes of their jungle-cock, bound, not with chains of iron, but cords of silk to the gay assemblies of the Government house, to the reviews of our troops, and to the conviction of the immense superiority which we possess over them. Instead of persecuting a Sirkara Bunga or a Dora Bissoy; or carrying the desolations of

war into a smiling country in search of them, our policy ought to have been such as to bring these chiefs to offer a voluntary homage at the alter of British supremacy in India. We would then have had hundreds in Calcutta fully acquainted with the language of these people, and with their country, men whose interest would have been so interwoven with those of the people of these tracts, that nothing going on in their country would have been hidden from us. We would then have possessed as much means of knowing all about this *terra incognita* as of the province of Chunargurh or any other portion of British India. The necessity of adopting such a course of policy is apparent even in respect to the native states on our frontiers: how much more in regard to those which, like Goomsoor, are situated in the very heart of our possessions.

There are no doubt various means of accomplishing this object in regard to the tracts in question One of the principal means, we think would be the throwing open of the country by good roads to the trade of the provinces situated around it. The trunk road from Calcutta to Bombay would divide this unexplored tract about its centre, from which branch roads may afterwards be extended to the provinces lying on either side of it. The construction of roads, in a country naturally fertile, but for the most part possessing no water communication, would be so much desiderated by the people, if they could once be brought to appreciate the advantages which good roads would afford to such a country, that we are certain the wealthy zemindars, holding possessions in these parts, would be easily induced to come forward in aid of any scheme of improvement which the Government might think of suggesting But to convince these people of the benefits that would result to them by making their country accessible to commerce, is a step that should first be undertaken by Government, and an example set. The road from Calcutta to Bombay would answer this purpose, as we explained in a foregoing number, whilst the Government would gain another great advantage by its construction, viz., a direct communication between the two most important points in their empire.

During the week a discussion has been carried on in the *Calcutta Courier* on our article on the benefits of road making, between two correspondents, in which the Editor has taken a prominent part. We are glad to find the subject, which we consider to be one of great importance to the country, exciting interest, and opposition; for we are one of those who think that the greatest good is to be expected from the clashing of opinions. We would, however, wish to see discussions of this nature carried on with temper and in language becoming the character of the publications in which these discussions find place. When such is the case, we are always disposed to transfer any observations which concern us, to these columns, as we did some days ago a very sensible article from the *Friend of India*, for whose valuable observations we are thankful. The language and style, of at least one of the correspondents of the *Courier*, is not, however, such as we could wish to introduce into our pages, and as his remarks against us have been ably refuted by another correspondent, leaving the question just where it originally stood, we have not thought it proper to copy these letters. We may, however, observe, that the part which our contemporary has taken in this discussion, is not consonant to our notions of justice and fair controversy.

In his paper of the 6th instant, alluding to a writer who takes up some of our remarks, he says, "our correspondent makes it appear that it is a small mistake to suppose that Goomsoor was absolutely a *terra incognita* before the late war, or that a direct road between Calcutta and Nagpoor would pass through that district." In his paper of the 9th instant another correspondent challenges our contemporary to make good the latter part of the above statement in regard to us, viz., that we stated that "*a direct road between Calcutta and Nagpoor would pass through Goomsoor.*" Justice required that our contemporary should either substantiate his former statement, by pointing to the page and line in which he found us so tripping, quoting our own words, or at once fairly and boldly acknowledge that he had made a statement in regard to us which he could not prove. He does neither, and although he has a brief commentary on the subject of his former remarks, the challenge of his correspondent is left totally unnoticed.

There are a few other similar specimens of evading the question at issue when pressed too forcibly, which grace the columns of the *Courier:* but as we have already taken up a great deal of space with this subject, and as we have a good champion in the enemies own camp to fight our battles, we shall leave our contemporary to his correspondent, who does not appear to have had his last say as yet.—*Bengal Herald, Feb.* 12.

RESUMPTION OF RENT-FREE TENURES,

[BY THE REFORMER.]

No. 2.

Notes on the duties of a Deputy Collector in Bengal Proper, by a Civilian; Calcutta, printed at the Baptist Mission Press, Circular Road, 1837. pp 20.

By chance this work fell into our hands the other day, and the following introductory paragraph, having produced the belief that the author was no novice in the business of the Revenue Resumption Department, we were led to examine the contents further:—

"Having had occasion, in the course of some official investigations, to look into the state of the present law and practice of Resumption Courts, both of the first instance and appeal, as regards the Districts of Bengal Proper, and having thus had my attention drawn more closely than it otherwise might have been, to the discrepancies of form and opinion which have obtained in those Courts, as well as to a few of the difficulties with which the officers therein presiding have to deal, I have been induced, in the hope of being useful in a slight degree to some of my fellow labourers in the public service, to put together the information which I have acquired, together with such remarks as the nature of the subject more prominently suggested.

To those to whom the subject is familiar, my notes will appear trite and valueless. They may, however, assist junior officers newly called upon to adjudicate resumption suits, and by all into whose hands they may fall, they will, I feel assured, be received with indulgence in consideration of the motives which have led to their publication. I shall, therefore, make no further apology for presenting them to my friends in the rough shape in which they were originally penned, and which constant avocation leaves me no leisure to amend or alter."

After the above introductory remarks which develope the character of the work and of its author, the manner in which a Deputy Collector should commence his enquiry regarding free tenures, and the various steps by which he must prosecute that enquiry, are laid down.

The author then enters upon a definition of the different terms used in the Revenue Department to denote the various kinds of rent-free tenures. The manner of examining and testing the *Taidads*, or the document by which possession is held, is considered next, and then the *Towfeer* lands, or lands which at the period of the decennial settlement were not included within the limits of any Pergunnah Mouzoh, or other divisions of estates, for which a distinct settlement may have been made since the period above referred to, nor lands held free of assessment under a valid and legal title. The different descriptions of *Towfeer* lands are then pointed out, and the pamphlet concludes with some observations on the manner of receiving evidence in Resumptions cases, and drawing up the *Roobakarree*, or a statement of the case.

Such are the contents of the work before us; in short, it is a summary of the Resumption Regulation which appertains to the practical part of the Deputy Collector's duties.

In the observations which we wish to offer on various parts of this pamphlet, it is not our intention to examine whether the views of the writer are exactly in accordance with the Resumption regulations. We take for granted that they are so, and will enquire only as to the congruity of the doctrines maintained in it, with the notions of justice and equity universally admitted in all matters that regard the relations of civilized Society.

The reader has perhaps over-looked, whilst perusing the introductory paragraph quoted above, a very remarkable demonstration of our opinion, that the duty of resumption has been committed to incompetent hands. In the first paragraph the writer adverts to certain "discrepancies of form and opinion which have obtained in resumption courts both of first instance and *appeal*." Here is an admission that the nature of the duties in question is such as to cause even the officers attached to the courts of appeal, who are always functionaries of considerable experience, to form erroneous opinons regarding various branches of those duties. In the commencement of the second paragraph of the introduction, the writer tells us, that his notes may assist *Junior Officers, newly called upon* to adjudicate resumption suits," and thus admits, what without such admission is palpably clear, that inexperienced officers of the appeal courts have often formed erroneous notions. This state of things cannot but be considered objectionable by every one who has duly weighed the relative situation of the parties to these suits, viz. the Goverment and the holders of rent-free lands, in regard to the junior inexperienced officers entrusted with the management of these cases. The influence which the hope of future advancement must exercise over these officers cannot be inconsiderable, whilst their impatience and want of experience must continually expose them to the evils consequent on hurried investigations and rash decisions. But the nature of the duties which our Deputy Collectors have to perform, must greatly aggravate the evil. To comprehend this fully we should carefully peruse the following extract from the Preamble to Regulation II. of 1793, passed by the Marquess of Cornwallis:—

All questions between Government and the landholders, respecting the assessment and collection of the public revenue, and disputed claims between the latter and their ryots, or other persons concerned in the collection of their rents, have hitherto been cognizable in the courts of mál adawlut, or revenue courts. The collectors of the revenue preside in these as judges; and an appeal lies from their decisions to the board of revenue, and from the decrees of that Board to the Governor-General in Council in the Department of Revenue. The proprietors can never consider the privileges which have been conferred upon them as secure, whilst the revenue officers are vested with these judicial powers. Exclusive of the objections arising to these courts

from their irregular, summary, and often *ex parte* proceedings, and from the collectors being obliged to suspend the exercise of their judicial functions, whenever they interfere with their financial duties, it is obvious that if the regulations for assessing and collecting the public revenue are infringed, the revenue officers themselves must be the aggressors, and that individuals who have been wronged by them in one capacity, can never hope to obtain redress from them in another. Their financial occupations equally disqualify them for administering the laws between proprietors of land and their tenants. Other security, therefore, must be given to landed property and to the rights attached to it, before the desired improvements in agriculture can be expected to be affected. Government must divest itself of the power of infringing, in its executive capacity the rights and privileges, which, as exercising the legislative authority, it has conferred on the landholders. The revenue officers must be deprived of their judicial power. All financial claims of the public, when disputed under the regulations, must be subjected to the cognizance of the courts of judicature, superintended by judges who from their official situations, and the nature of their trusts, shall not only be wholly uninterested in the result of their decisions, but bound to decide impartially between the public and the proprietors of land and also between the latter and their tenants. The collectors of the revenue must not only be divested of the power of deciding upon their own acts, but rendered amenable for them to the courts of judicature, and collect the public dues, subject to a personal prosecution for every exaction, exceeding the amount which they are authorized to demand on behalf of the public, and for every deviation from the regulation prescribed for the collection of it. No power will then exist in the country by which the rights vested in the landholders by the regulations can be infringed, or the value of landed property affected. Land must in consequence become the most desirable of all property, and the industry of the people will be directed to those improvements in agriculture, which are as essential to their own welfare, as to the prosperity of the state."

The motives which induced Lord Cornwallis to promulgate the above regulation, may be further known by the following observations which he recorded on the occasion in a minute which, together with the above regulation, received the approbation of the Court Directors:—

"The proposed arrangements only aim at insuring a general obedience to the regulations which we may institute, and at the same time impose some check upon ourselves against passing such as may ultimately prove detrimental to our own interests, as well as the prosperity of the country. The natives have been accustomed to despotic rule from time immemorial, and are well acquainted with the miseries of their own tyrannic administrations. When they have experienced the blessings of good government, there can be no doubt to which of the two they will give the preference. We may therefore be assured, that the happiness of the people, and the prosperity of the country, is the firmest basis on which we can build our political security.

By Regulation III. of 1793, the Government are placed precisely in the same position as their subjects; which fact further shows how necessary that good and eminent statesman, Lord Cornwallis, considered the separation of the two capacities in which the Government are alternately placed; viz. that of party to the suit and the Judge of the case by their right to rule the country. The following extract from the preamble of the regulation we advert to explains its tenor:—

"To ensure to the people of this country, as far as is practicable, the uninterrupted enjoyment of the inestimable benefit of good laws duly administered," government determined "to divest itself of the power of interfering in the administration of the laws and regulations in the first instance; reserving only, as a court of appeal or review, the decision of certain cases in the last resort, and to lodge its judicial authority in courts of justice, the judges of which should not only be bound by the most solemn oaths to dispense the laws and regulations impartially, but be so circumstanced as to have no plea for not discharging their high and important trust with diligence and uprightness." It was resolved," that the authority of the laws and regulations, so lodged in the courts, shall extend not only to all suits between private individuals, but that the officers of government, employed in the collection of the revenue, the provision of the Company's investments, and all other financial concerns of the public, shall be amenable to the courts, for acts done in their official capacity, in opposition to the regulation."

Now the Deputy Collector, by virtue of his office to search out land, subject to the claim of Government, is in the first place an informer to his own tribunal, he is secondly to assume the character of complainant; thirdly, of a judge to decide his own claim; and fourthly, of an executive officer to dispossess the proprietor of the land by virtue of a decree passed by him in favor of himself. So that in fact he is here informer, complainant, judge, and the executive authority. This complication of duties, which so able and experienced a statesman as the Marquess of Cornwallis considered objectionable on such solid grounds as are laid down in the above quotations, and in the execution of which, as we have it from our author himself, even the higher courts of appeal have frequently erred, is nevertheless, as stated by the same writer and well known to every body, entrusted to junior officers of no experience. The Court of Directors, adverting to Reg. II. 1819, write to this Government, in their letter under date the 2d May 1821, as follows:—

"What you have ordained and regulated is, that the Collectors shall not apply to the courts of justice at all that they shall, in the first instance, decide the cases themselves, leaving it to the party dispossessed to seek when he thinks himself aggrieved, a remedy by the courts of law. That is say, you have done neither more nor less than transfer that hardship arising from the delay of the courts of justice, which you deemed intolerable in your own case, from yourselves to the opposite party. What you have done is, to constitute yourselves, by your own act, defendants instead of plaintiffs, and that, in each instance, preceded by the material circumstance of the extra-judicial and arbitrary dispossession of a man from a property which he has been accustomed to enjoy and to regard as his own. We must not allow ourselves to suppose, still less to act, as if we supposed that the injury sustained through the delays of the courts of justice is a greater injury to us than it is to individuals. Every rational consideration must lead us to the opposite conclusion. The loss of an estate affects the individual more deeply, than the none-acquisition of a hundred is capable of affecting the Government.

Such is the real character of the duties of our resumption collectors, and such are the men whom the Government has thought fit to appoint for the execution of those duties.

We shall now leave the reader to consider well the grounds on which the Marquess of Cornwallis thought a separation of fiscal and judicial duties necessary, and then, noticing what the two passages in the introduction of the pamphlet before us, have brought to

notice regarding the description of men chosen to fill the office of Deputy Collectors and the manner in which these duties have been carried on, to weigh carefully these different circumstances, before we come to any conclusion on the merits of the question.

The first inquiry to be made regarding any lakhiraj tenure, says our author, is as to its extent, whether it be more or less than 100 beegahs; for if it be less, no further proceedings regarding it need be held.

This is certainly in conformity to the 3d clause of Regulation II. of 1819, which in pointing out the lands liable to resumption, makes an exception in favor of those "the extent of which may not exceed one hundred beeghs if in Bengal, Behar, or Orissa, and fifty beegahs, if within the province of Benares." We are really thankful to our author for having brought this exception so prominently into view; but how far this proviso is attended to in practice by the Deputy Collectors, is a question which, if answered in the affirmative, must be answered with so many cases of exception as to render the affirmation of very little use. Numerous instances can be pointed out in which the Deputy Collectors have totally disregarded this proviso, and have gone even so far as to resume parcels of land measuring no more than ten beegahs.

The author then enters into the manner of examining the tandads and registers, on which we shall offer a few remarks, but before that, we have something to say regarding the work of resumption in general. The permanent settlement, under which all the Zemindaries in Bengal are now held, was, it is notorious, conducted not any measurement of the lands, but solely on the basis of the Jumma or the Revenue which each zemindary paid. Regarding this our author says, that the estates "were engaged for in the gross, without reservation and without any specification of its component parts either in the proposal of the zemindar or in his cubooliut." Now, after the lapse of years, a piece of land happens to be discovered, within one of the estates thus settled, the rent free possession of which is claimed by a certain individual; but on examining his land, it is found, that he possesses, for instance, 500 bigahs more than granted in the sunud. This is therefore subject to resumption. But by whom? surely not the Government which has by the permanent settlement, for ever given up the right to all such lands within the boundaries of the different estates, without any regard to the quantity of land or the number of bigahs contained in each: the proper party to claim this piece of land from the man holding it, without being able to prove his right to it, is the zemindar within whose estate this piece of land may happen to be situated. We shall give another illustration: suppose a parmanently settled zemindary had an incumbrance of 500 bigahs of rent-free land, and it was afterwards found that the free holder instead of having 500, possessed 1,000 bigahs, the Government, in case the holder of this rent-free tenure could not prove his right would be entitled to only 500 biggahs, the remainder being given up to the Zemindar, in whose estate this rent-free tenure might be located. Indeed, we cannot understand how, without a breach of pledge, Government can take possession of such a piece of land. The question of its possession, is evidently between the possessor and the zemindar within whose estate the land is and from whose lands this excess must have been abstracted; Government, after making over the whole estate to the zemindar, on a consideration, having no more right to take possession any such land within the settled estates, than the Sultan of Turkey has. But if might be right, both the Sultan of Turkey and the British Government may take possession of any land which their power can bring within their grasp.

From the digression, which, however, is very important in the question at issue between the Government and the zemindars, we come to the consideration of the *Taidads* and *Registers*. That there is now very great difficulty in obtaining sunuds and other documents after the lapse of nearly eighty years is evident from the accidents to which papers of this kind in the hand of such people as the natives of this country, are liable. Indeed, such is the uncertainty in which the authenticity of these documents is involved that very little faith can be placed in them. In regard the registry, it is true that it was ordered to be kept in a very careful manner. One copy of it was to remain in the office of the Collector, another to be filed in that of the Judge of the district, and a third copy was directed to be transmitted to the Board. Such were the orders on the subject; but these orders were not followed up in practice. Instead of keeping regular books of registry and authenticating each entry by the signature of a covenanted servant of Government, only copies of the sunuds that were presented were kept in the archives of the collectorates, without any authentication and without any duplicates or triplicates being sent to the judge and the Board. There can be no doubt that papers kept in this loose way would be entirely at the mercy of the record keepers. As things stand, these documents can be modified or reduced in number *ad libitum*. Numerous instances are known, in which copies of sunuds were never filed, and yet by paying a sum to the record-keeper the copies were found in the record, whilst many who had registered their claims according to the regulations, but refused to satisfy corrupt amlahs, had the registry of their *sunds* struck out from the record. At present there is no registry or copy in any Collectorate on which the least dependence can be placed. If there had been a regular registry of these claims, we cannot conceive what use there would be of making any further investigation in the matter. If all the authentic sunuds have been duly registered, and the people informed by repeated proclamation that none who had not registered his claim would be entitled to the

consideration of Government, then the Government possess the means of settling the whole affair at once. They need but publish that by their registry they find such and such lands, not being in the register, are resumed But this has not been done, and cannot be done, for this very good reason, that these registers, if they do exist in some offices cannot be depended on. This uncertainty in regard to these registers, it is worthy of remark, is owing entirely to the neglect of the servants of Government. What shadow of justice then can be shewn for the following rule which our author lays down as the next step which a Deputy Collector is to take after he has ascertained that a tenure contains more than 100 beegahs? viz. "It is next to be inquired if it has been registered, for if not, and no valid reason can be assigned for non-registration, the Lakhiraj privilege of the tenure is *de facto* forfeited, and may be declared so summarily." The rent-free holders always answer these enquiries by saying that their predecessors must have registered their tenures: and that the absence of the record is owing to the well known and admitted carelessness of the Government functionaries. Thus possession, in whatever light the subject is viewed, is after all the only certain ground on which resumption proceedings can be justly conducted.

A man is found in the rent free possession of a piece of land, and he declares that he and his predecessors have never paid any revenue upon it. It is therefore for the Government to shew that since the 12th of August, 1765, rent was paid upon it, and thus to prove that the tenure has not been held rent-free since that date. But instead of this course, which would be adopted in all ordinary cases, in cases where the Government claim is concerned, "of this proof the burden," says our author, "is upon the claimant, and not upon Government" The Government is the claimant and it is a misnomer in this case to call the possessor by that appellation. It howver suits the purpose of Government to step into the shoes of the defendant, as pointed out in the extract we made above from the letter of the Court of Directors. Is this the boasted justice of the British Indian Government?

We shall not enter upon the definitions of terms with which a great part of the pamphlet is occupied. These are generally correct, and our space does not admit of a more particular analysis of the subject. We shall, therefore, proceed to examine what our author says regarding the *Towfeer* lands. The definition of this description of lands has been given above. The author of the pamphlet, speaking of these lands, justly observes, that in all places in which the settlement was made in the gross, without any specification of the component parts of the zemindary, the Government can now have no remedy for the loss sustained by deficient rental which formed the basis of the jumma, or from any fraudulent concealment, or careless omission. We also agree with the author, that in cases where a specification or measurement of the lands was made, any quantity beyond that is liable to assessment, after careful inquiry and measurement.

The views of the author regarding *Towfeer* by alluvion and dereliction of rivers, we cannot subscribe to. The claim of Government to the revenue of this description of *Towfeer* is based on the assumption and these alluvions, having been formed since the permanent settlement, cannot be a part and parcel of the settled estates. To this the zemindar's reply generally is, that by the *Shikast* or loss of one part of their estates the *Pywast* or gain in another part is made, and that they are therefore entitled to the latter in lieu of the former. Our author, however, says that "the proper process to be adopted in such cases, is to ascertain, not only the extent by measurement of the alluvial formation, but also the quantity of land appertaining, at the time of the Perpetual Settlement, to the estate, or to those villages belonging to it, whose lands are said to have been washed away; and the quantity of land now existing Then, if the extent of land, ascertained to have been in existence at the time of the Perpetual Settlement, turns out to have suffered no diminution since that time, the whole of the alluvial land is considered subject to a new assessment." We do not know how this passage can be reconciled with that already quoted, in which the author admits that the estates were settled in the gross without measurement or specification of the lands. If the lands in an estate were not measured nor specified at the time of the settlement, we cannot conceive how the comparison which is here recommended can be made. He has, however, suggested a means of getting over this difficulty He refers us to the first quinquennial returns by the zemindars of the extent of their lands, as being sufficient authority for deciding the extent of their settled estates. The origin of these returns is consequent upon Reg. XLVIII. of 1793, a time immediately subsequent to the permanent settlement, when the Zemindars were naturally anxious to make their respective estates appear as small in extent as possible, in order to avoid any further disturbance of the settlements; under such an impression, they reported the extent of their lands at as low an amount as circumstances permitted them. Besides, about this period the Zemindars had but very little time to ascertain the extent of their lands, and therefore even when they did desire to give a correct return, it was not possible for them to act up to that wish. Hence it is notorious, that the quinquennial returns contain a great deal less quantity than actually belongs to each estate. Besides which although the regulation, ordering the preparation of these papers, lays down very strict rules for their compilation, yet it is well known that these rules were not kept up in force after a certain time. Indeed, such was the careless manner in which they were fatterly kept up, that in 1823, when certain enquiries were made regarding the subject, no satisfactory record could be found, on

which the Government could proceed. These facts must be well known to our author. How, then, in the face of them, he refers the deputy collector to the quinquennial returns we cannot imagine. The fact is, there is no document or register which can furnish any reasonable datum on which the original extent of the estates that have been settled without measurement can now be ascertained, and the attempt to effect this must unavoidably prove abortive.

Whilst such is the uncertainty and weakness of the grounds on which the claim of Government against alluvial *Towfeer* rests, there is another consideration which strengthens the right of the Zemindars to this description of lands. Suppose for a moment that the whole of Bengal belonged to but one zemindar. In that case, as the whole of Bengal is permanenently settled without measurement, and every *Pymust* or gain in any part must be a necessary consequence of an equal extent of *Shikust* or loss in some other part of that one supposed zemindary, no alluvion could be justly considered as *Towfeer*, nor could the Government have any claim to such lands. It however happens, by chance, that the whole of Bengal, instead of belonging to one zemindar, belongs to several. But this accident can in no way alter the principle, and give to Government a right which it did not possess in the other case. The question, as to the right over alluvion, in this view of the case, is at issue between the zemindar suffering by a *Shikust* and the zemindar gaining by a *Pymust*, the Government, which has settled the whole of Bengal without measurement, having no right to any portion of the lands within its limits.

There are other arguments to prove that in the whole work of resumption there is a very great leaning towards the Government; but our time and space require that we should conclude our strictures on this subject and await another opportunity of taking up the line of arguments we have pursued in the above paragraphs.—*Reformer, April 2.*

In continuation of our remarks of last Sunday, on the above subject, we have a few more observations to offer, on the Alluvial *Towfeers*. The permanent settlement, which must be the basis of all discussion regarding landed tenures in Bengal, was, as every body knows, concluded, not upon any measurement of the contents of each estate, but on the juma of the preceeding years, and such other information as could be obtained from the collectors regarding the capabilities of each estate. This was in exact accordance with the instructions which had been furnished by the Court of Directors who discouraged all "minute examination or new local investigation into the value of land." Many years after, on the sanangoes being established, the Zemindars became naturally alarmed, that the settlement which they had been told would be permanent, was likely to be disturbed, and petitioned Government, regarding it. Its answer was calculated to banish the fears of the petitioners, and to lull them into security.

In their letter, dated the 16th March 1821, the Court of Directors, adverting to the settlement of alluvial lands in Tipperah, observe as follows:—

In the paragraphs noted in the margin, you have drawn our attention to the decisions which you have passed relative to certain tracts of alluvial land in Tipperah, into the circumstances of which you had already deputed a Commissioner to inquire. The principles by which you were guided in these decisions, appear to us to be equitable and to have been correctly applied. Islands thrown up at a considerable distance from the main land, which had no connection with any man's estate, and to which no individual more than another had any ground to set up a claim, were declared to be the property of Government. Where the lands were so considerable, that no on reasonable construction of a contingent accession which must have its limits, could they be considered as belonging to the owner of the adjoining land, the right of Government was asserted, while the interests of the individual were not overlooked the new land being assessed for the benefit of the Government, while in other respects it was admitted to belong to the Zemindar, to whom the annexation appeared upon the whole to be the most convenient and useful. Lastly, where the lands acquired were not of considerable quantity, or had been gained to one part of an estate at the expense of another, you directed the unconditional relinquishment of them to the parties concerned.

The particular passage in the above extract to which we beg to direct the attention of our readers, is the concluding clause, in which the unconditional relinquishment of certain alluvial lands is approved. When this subject was under the consideration of Government in 1818, the late Mr. J. H Harington, officiating Chief Judge of the Sudder Adawlut, recorded a minute, in which we find the following opinion given by the Pundit regarding the usage of the country, according to the institutes of the Shasters:

Answer.—The proprietary right in alluvial land of the Ganges and such like Rivers, the same being connected with one of the banks, vests in the proprietor of such bank. In alluvial lands unconnected with a bank, the right is that of those who are entitled to the Julkur. In land left by the recession of the Sea, the same being connected with the shore, the right vests in the owner of that shore. In land appearing above the Sea, not being connected with the shore, the right of the sovereign exists, those who have the strongest right are considered the lawful owners, but the right of individuals are held in subjection to that of the sovereign.

Authorities cited. The following texts of Verhasputte.

What rule obtains regarding earth removed from a village and given by a great River, or the King to another. On this point a discussion is proposed.

Land left by a River or given by a King, is that person's who so acquires it; were it not so, their would be a loss of the benefit, proceeding from the Supreme Disposer of events, or the King. Thence let no one, in all affairs, alter that which has been done by either. In like manner, when land is lost by an encroachment of the River on one side and annexed to the land on the other, it becomes the property of the person to whose land it is annexed. Let no one alter this rule.

By this it appears, that alluvions have always been held as a gift of Providence to those to whose lands they may happen to be annexed, and are to be regarded in the same light as a rent-free gift by a sovereign.

Now keeping in view these grounds, derived from the principles of the permanent settlement, confirmed as they are by the laws of England and the common notions of natural justice, from the opinion of the Court of Directors, and the exposition of the shasters, let us examine the regulations that have been framed in regard to alluvial lands. In Section IV. Reg. XI. of 1825, it is provided that increment of land obtained by any estate "shall not in any case be understood to exempt the holder of it, from the payment to Government, of any assessment to the public revenue, to which it may be liable, under the provision, of Regulation II. of 1819, or of any other Regulation in force." Now the first and second clauses of sec. III. of Regulation II. of 1819 are the following:—

III. *First.* It is hereby declared and enacted, that all lands which at the period of the decennial settlement were not included *within the limits* of any *pergunnah, mouza* or other division of estates for which a settlement was concluded with the owners, not being lands for which distinct settlement may have been made since the period above referred to, nor lands held free of assessment under a valid and legal title of the nature specified in Regulations XIX. and XXXVII. 1793, and in the corresponding regulations, subsequently enacted, are, and shall be considered liable to assessment, in the same manner as other unsettled *mehauls*, and the revenue assessed on all such lands, whether exceeding one hundred *beegahs* or otherwise, shall belong to Government, provided, however, that nothing in the above rule shall be construed to affect the rights respectively to *Lamatties, talookdars*, and other proprietors of estates, with whom a permanent settlement has been concluded, to the exclusive enjoyment of the rent assessed on land held on an invalid tenure, free of assessment, within the limits of their respective estates and *talooks* and of which the extent may not exceed one hundred *beegahs* if in Bengal, Behar, or Orissa, and fifty *beegahs* if within the province of Benares.

Second. The foregoing principles shall be deemed applicable, not only to tracts of land such as were described to have been brought into cultivation in the Sunderbunds but to all *churs* and islands formed since the period of the decennial settlement, and generally to all lands gained by alluvian, or dereliction since that period, whether from an intercession of the sea, an alteration in the course of rivers, or the gradual accession of soil on their banks.

By the latter of the above clauses, all lands gained by alluvian since the permanent settlement, are included in the sphere of this regulation; whilst by Regulations XI. of 1825, as we have seen, these lands, of whatever description they may be, are brought under assessment! What then becomes of the permanent settlement, according to which all improvements belong to the Zemindar on the one hand, and all losses are suffered by him on the other? In the Preamble of Regulation XI. of 1825, the opinion of the Pundit above quoted is made the basis of the regulation; yet strange as it may appear, this very regulation is totally at variance with the principles laid down in that opinion! In further support of our argument, that the Regulation II. of 1819, is opposed to the principles of the permanent settlement, we quote the following extract from the minute of Mr. Stewart, than a member of the Supreme Council, and an officer of considerable talent and experience:—

"The [illegible] estate gains by accession (and alluvian is accession) is part of that estate. That, according to the definition of an estate given in Clause 2 Section 2. of Regulation XLVIII. of 1793, it cannot be restricted to the lands of which it was actually composed at the time of the permanent settlement. That, in enacting the permanent settlement, an anxious enumeration was made of all reservations, which could be supposed to effect the grant, among which is no mention of alluvians. That when the Government excluded abatement of revenue on account of any loss by encroachment of rivers, the omission to declare that an addition would be demanded on account of accessions from changes by the waters, cannot have been unintentional. That to say the Government will otherwise sustain a loss, is no argument against the construction of a compact, and that shortly after the formation of the permanent settlement, when a case of alluvia occurred, the Government of that time declined to pronounce a general decision."

On these grounds Mr. Stewart objected to the Resumption Regulations. Now we ask are these regulations agreeable to the principles of the permanent settlement, and of the laws of England? are they consistent with our notions of justice and equity, or with the usages of the country which our rulers always pretend to respect? are the feelings of the people regarded in the operations of these obnoxious regulations? Let those, who chose to answer in the affirmative, reconcile these regulations with the authorities we have arrayed against them. —*Ibid April 9.*

STEAM NAVIGATION TO ENGLAND.

CORRESPONDENCE BETWEEN MAJOR HEAD, CHAIRMAN OF THE LONDON PROVISIONAL STEAM COMMITTEE, AND THE COMMITTEE OF THE NEW BENGAL STEAM FUND.

To the Secy. of the Steam Committee, Calcutta.

4, Leadenhall Street, Aug. 20, 1836.

SIR,—In reference to the subject of Steam Communication between England and India, on which the public feeling at Calcutta, has been so repeatedly and decidedly expressed, he accompanying Documents will show the present state of the question, and I trust the exertions of the gentlemen, who with myself are endeavouring to forward this measure, will meet the approval of those with whom you act.

It will be borne in mind, that when the present plan was brought to the attention of the public; to establish the long desired communication *via* the Red Sea with India, there was no probability of the question being brought before Parliament, or to the attention of His Majesty's Government this year.

Since that period the Provisional Committee have been cheered in their labours by the fortunate arrival of Petitions and Memorials, from Bombay, Madras and Calcutta, and although the two last were not in time to be brought before Parliament this Session, they have materially strengthened the cause and have been useful instruments on the occasion.

Within the last few days the Committee have had the satisfaction to receive resolutions similar to No. 1, from Manchester, Leeds, Glasgow, and Paisley, in favour of the measure, and it is expected that the same feeling will be displayed by other Mercantile places without delay.

The ready assistance and kind support given at all times by Lord William Bentinck, has been matter of satisfaction and merits the thanks of all interested. His Lordship has shewn himself most desirous of fulfilling his pledge to India, in respect to promoting this measure in England His Lordship afforded us an instance of good faith by coming from Brighton for the purpose of attending the last Deputation to the India Board.

Mr. Hutt, M P. for Hull, who headed the deputation, has shown his readiness to co operate in every way to forward our views and it will be a source of satisfaction to be informed that several other Members of Parliament, for the most influential commercial outposts, including those who attended Deputations, were most ready to join their aid in support of the measure.

I beg also to inform you, that in the prosecution of this plan, it is the intention of those interested to avail themselves of the ful services of Mr. Waghorn in Egypt, whose friends have been consulted on the occasion

I have the honor to be,

Your most obedient Servant,

CHARLES F. HEAD, *Chairman*,

Provisional Committee.

To the Secretary of the Steam Committe, Calcutta.

4, Leadenhall Street, 20th Aug. 1836.

SIR,—For some time past a Provisional Committee has been formed, with a view of forwarding the known wishes of an influential portion of the commercial interest of this country, and to assist the efforts making in India, to establish a quick and regular communication between Great Britain and that country, by means of Steam Navigation, through the Mediterranean and Red Sea.

The great importance and advantages of such an object is generally allowed, and the policy and practicability of promoting it, is not questioned on physical grounds. It cannot be concealed, however, that there is opposition to the measure, and this is the more to be lamented, as from not knowing its nature and extent, it is impossible to form any idea of the effect it is likely to have on the ultimate bearings of the question.

It is the opinion of this Committee, that it is desirable the community of India, should be made acquainted with the steps which have been taken to carry into effect the object in contemplation; with the view of securing their co-operation and support to the proposed measure.

I have, therefore, been directed to forward to you the accompanying papers marked No. 1 to 6, viz.

No. 1.—A declaration shewing the feelings of the principal Merchants of London in favor of the proposed measure.

No. 2—Is an outline of the mode of working out the plan, shewing that the measure proposed, is based on the co-operation and support of the Government and the East India Company.

No. 3—Is a copy of a proposal sent to the East India Company.

No 4—Is a copy of a proposal sent to the Treasury.

A Deputation consisting of the following Members of Parliament and Merchants, of which a list is given herewith, waited upon the Chancellor of the Exchequer to solicit the support of His Majesty's Government, and the result of the interview we now subjoin in paper No 5, and by the same Paper it will be seen, that the measure met with the support of Lord Minto, first Lord of the Admiralty.

Subsequently, another Deputation of Members of Parliament and Merchants, as per List, waited upon Sir John Hobhouse, where they were met by special appointment by the Chairman and Deputy Chairman of the East India Company, the result of which is given in Paper No. 6.

In the event of the Government and East India Company adopting the proposal made, of which eventually there can be but little doubt, it is very desirable for the purpose of saving future correspondence with your quarter, to have the opinions and wishes of the respective Presidencies in regard to this measure.

The contemplated outlay of the present plan is not expected to exceed £200,000; but as it may be reasonably expected that the undertaking will eventually embrace a wider range by extending the communication to Ceylon, Madras and Calcutta, it is proposed to form a a Company composed of 4,000 Shares of £100 each, of which, for the present, we only contemplated the call of one-half.

The Committee feels the importance of being in a position to shew to the Government its readiness and capability of fulfilling its proposal and engagements, and it would facilitate greatly their plans if the parties in India were to signify to this Committee their wishes as to the number of shares they would be willing to take in the undertaking.

The Committee believe there would be no difficulty in raising the whole stock in the country; they at the same time feel it due to

the community of India, who have so large an interest in this undertaking, that they should be thus early invited to associate themselves with the promoters of this object, while at the same time their co-operation would lend a powerful aid in carrying the plan into effect.

Hitherto the principal impediments to the establishment of a permanent Steam communication with India, has consisted in a want of unity in the various otherwise well-projected plans which have been proposed both in India and England. This Committee earnestly press upon the attention of the various bodies interested in this undertaking, the paramount importance of waving all minor considerations of local convenience before the grand object of effecting an immediate line of transit between England and India.

I have the honor to be,

Your most obedt. Sert.,

CHARLES F. HEAD, *Chairman*,
Provisional Committee.

(Enclosure of Major Head's Letters.)

No. 1.

Signatures of Merchants of London showing their opinion upon the Route via the Red Sea."

N. B.—Previously published in all the Calcutta papers.

No. 2.

Outline of the plan submitted to Government and the East India Company.

In carrying into effect Steam Communication between Great Britain and India, it is to be borne in mind that all intercourse between Egypt and Europe will be subject to the Quarantine Laws, and therefore it becomes absolutely necessary to have Branch Boats from Malta to Alexandria, so as to have the Boats from Falmouth to Malta, always in free pratique. The plan proposed is therefore to have:

Two vessels to be confined to the service between Malta and Alexandria (The transit from Alexandria to Suez to be undertaken by the Company.)

Three vessels on the communication to and from England to Malta.

Four vessels for the service between Suez and Bombay.

The gross outlay contemplated for the whole service is £200,000.

The annual expenditure required for the efficient prosecution of the intercourse, the annual repairs of the Boats, their insurance, and for a fund to serve for the replacing of the Boats, and the annual interest of the Capital, is estimated at £123,000.

After minute and careful calculation, the income must for some years fall far short of the annual expenditure, and it is therefore contemplated that the Government and the Company would grant £65,000 as an annual allowance for the transmission of the mediterranean Mail, and the East India Company's and Government Dispatches to and from India. (Private Letters to become a perquisite to the Company)

The intention of the Company is to have a Vessel to leave Bombay and England on the 1st of every month, and it is expected to do the service in the space of fifty-two days, without intermission, throughout the year.

The foregoing is an outline of the present contemplated undertaking, to be carried into effect by a private Company, principally formed of the Commercial interests of Great Britain and India, to be incorporated by an Act of Parliament.

(Nos 3 and 4.)

Copies of letters sent to the East India Company, and Lords of the Treasury.

N. B.—Previously published in all the Calcutta papers.

(No. 5).

August 3, 1836.

The Chancellor of the Exchequer received a deputation consisting of—

[W]m. Bentinck, M. P.	Bazett Colvin, Esq.
Lord Sandon, M. P.	G. Arbuthnot, Esq.
Sir John Rae Reid, M. P.	Samuel Briggs, Esq.
W. Hutt, Esq., M. P.	Edward Daniel, Esq.
R. Wallace, Esq., M. P.	Robt. Thurburn, Esq.
Major Head	Capt. James Barber.
— Kerr, Esq.	

The Chancellor of the Exchequer said, that he considered the proposal fair, that he would submit it to H. M. Government and give an early reply. That a proposition had been made by the East India Company to communicate round the Cape of Good Hope. That some reference must be made to the India House that one plan might not interfere with another, as regards the Post Office.

The Chancellor of the Exchequer entered into detail and gave the deputation a patient and favorable reception.

True Copy from the Minute Book.

JAMES BARBER, *Secy. pro tem.*

August 5, 1836.

Lord Minto, received the following deputation.

Mr. Hutt, M. P.	Captain J. Barber.
Lord W. Bentinck, M. P.	Mr. Thurburn.
Mr. Ewart, M. P.	Mr. Daniel.
Major Head.	

Mr. Hutt explained the nature of the visit after a general conversation of the object in view. His Lordship was pleased to take a favorable view of the project, and as far as the Admiralty were concerned, saw no objection.

(No. 6.)

August 12, 1836.

The following Members of the Provisional Committee attended a Deputation at the India Board.

Major Head	Captain Barber
E Darell, Esq.	R Thornton, Esq.
D Grant, Esq	Captain Thornton.
—Wollaston, Esq.	Mr Bagshaw, M P.
Captain Keane.	—Hutt, M. P.

The following Noblemen and Gentlemen were also present.

G. Palmer, Esq	Sir J. Rae Reid,
G. Arbuthnot, Esq.	— Morrison, M P
C. Kerr, Esq	— Crawford, M P.
Ewart M P	— Thomas, M P.
B Colvin, Esq	Captain Alston, M P.
Captain Travers	Mr. Bonar,
Lord Wm. Bentinck M P	Mr M Dobree.
Lord Sandon.	

A conversation first took place with Sir John Hobhouse, when all the details of the project were discussed

Mr Crawford, Mr Bagshaw, Mr Morrison, Mr Hutt, Lord Wm Bentinck, Major Head, and others, pressed the importance of the present proposal with its advantages and the benefit of it to the mercantile community in communication with India if opened in a regular way by the Red Sea.

After much conversation the party were joined by the Chairman and Deputy Chairman of the India House and further regulations as to postage, conveyance of despatches, &c was entered into The whole concluded by Sir John Hobhouse expressing, that he thought H M. Government were disposed to receive the proposal favorably, and that it was of great importance, and that he would press it on the early attention of the Honorable gentlemen (the Chairman and Deputy Chairman) The Deputation broke up satisfied with the attention and expression of the Right Honorable the President of the Board of Control, and an understanding that he would, in the course of 10 days, submit to Mr Hutt, the decision that should be come to.

True copy from the Minute Book
JAMES BARBER, *Secy. pro tem.*

REPLY OF THE BENGAL COMMITTEE.

TO MAJOR HEAD

Chairman of the Provisional Committee for establishing a Steam communication between England and India by way of the Red Sea.

Sir,—I have the honor, by direction of the Committee of the new Bengal Steam Fund, to acknowledge the receipt of your letters under date 20th August last, with enclosures, and to communicate their sentiments as follows:—

2. In considering the question of a Steam communication between England and India, the first thing to be determined is the object sought to be obtained by such a communication; whether a mere intercourse of correspondence, or one embracing all possible advantages. To the first this Committee will not address themselves, believing that no person can be found who would contend for such restriction. As to the second, they may sum up their sentiments shortly, by declaring, that they concur entirely with Mr. Peacock in his memorandum delivered to the select Committee of the House of Commons, and dated 2d December 1833, viz. that "between doing it efficiently and not doing it at all, there seems to be no advisable medium."

3 With these sentiments this Committee regret they cannot concur in the plan laid down by your Committee, as it would assuredly be incomplete and therefore inefficient; they consider that no plan can be efficient which does not embrace the whole communication from England to Calcutta, thereby including every part of India, dropping the mails and passengers in its progress whether at Gibraltar, Malta, Alexandria, Bombay, (from to Socotra Galley), Madras, and so on to Calcutta, proceeding the whole way *with the utmost despatch*

4. If this despatch is impracticable—and it certainly is so, if, as you declare, it is indispensable that the communication from India should be delayed at Malta, that the packets and parcels from India should be subjected to fumigation, &c. and the passengers to quarantine, in order that the Falmouth packet may be kept in free pratique instead of proceeding on with uninterrupted despatch throughout the whole line—the consequent delay and inconvenience will render a communication by steam, round the Cape of Good Hope, far preferable for every description of intercourse except correspondence; nor, as regards Calcutta, by far the most important port in India, and Madras, would even correspondence itself be much expedited.

5. But it is not on this point alone that the Committee consider your plan imperfect and incomplete. You propose to have a Company with 1,000 shares, at £100 per share, but only to call for half at present for the purpose, as it would seem at first establishing the communication monthly to Bombay, reserving the remainder, not *positively*, to extend the communication to all parts of India, but only "on the reasonable expectation that the undertaking will eventually embrace a wider range, by extending the communication to Ceylon, Madras, and Calcutta"

6. Either by limiting the communication in the first instance to Bombay it must be designed to benefit *all India*, beyond the conveyance of mere correspondence, or to confine the benefit of the communication to mere correspondence. If the former, the Committee apprehend that the design must fail, for it would be incomparably more convenient to land the passengers and parcels from India for Great Britain at Penzance, or even on the Scilly Islands, than those of *Great Britain* for *all India* at Bombay. If the intention of benefiting all India beyond the mere conveyance of correspondence is not entertained, the Committee are apprehensive that the sources of return profits would be found lamentably deficient.

7. Again, you either do, or you do not, *positively* intend to extend the communication eventually. If you do not, and only propose to do it contingently, the Committee would wish to know on what contingencies the extension is to depend. If it is to depend upon whether the communication to Bombay alone pays, and that, if due returns are made on your capital, you will content yourselves with that communication, in that case the Committee regret they cannot concur in your views; for, as before observed, if from whatever contingencies the communication should not be extended to Calcutta, it would place all passengers and parcels, and every thing short of mere correspondence connected with Bengal and Madras, in a much worse situation than the passengers and parcels of Great Britain would be by St. Mary's being made the sole point of communication at home. If on the other hand it is *positively* intended eventually to bring on the communication to all the ports of India, it is the opinion of this Committee that the extended scheme should be carried into effect at once, and that a steamer should run from Suez the whole way to Calcutta, touching at Galle and Madras, with a seperate one branching off at Socotra to Bombay. You propose to have four steamers to go between Bombay and Suez, starting on the 1st of every month; but you are probably not aware that it has been stated positively at Bombay, particularly by Captain Wilson, who for a long time commanded the *Hugh Lindsay*, while employed on the Red Sea voyages, that during four months the strength of the monsoon operates, so as, if not to prevent the communication, at least to render it useless; but four steamers would be sufficient to make a monthly communication from Calcutta to Suez, and two of smaller size would be enough between Bombay and Socotra, or Bombay and Galle, during those months when the passage direct from Bombay is impracticable: so that with only two additional steamers of smaller dimensions, you might establish your main trunk the whole way to Calcutta, touching at Galle and Madras, and have your branch to Bombay.

8. By this course you would embrace every point from which you could expect returns, without which it is scarcely possible that any scheme can pay. You cannot fail to see that the same expense is necessary to bring the communication to Socotra, whether you go to Bombay alone or to all India, while by the former course you are excluded from by far the greater sources of profit.

9. There is one other point to which the Committee would refer. In your outline of the plan submitted to government and the East India Company, you say "The transit from Alexandria to Suez to be undertaken by the Company." The Committee do not exactly understand whether the East India Company is meant, or the company to be formed for the establishment of the communication. If the former, this Committee consider that it would essentially injure and derange this scheme, even though it were in every other respects perfect. The establishment of a *perfect* and *complete* communication between England and all parts of India by Steam, through the Red Sea, would very soon divert into this channel every package and parcel that could be conveyed by this route, including especially small parcels of value, periodical works, and all portable articles subject to deterioration by a long sea voyage. If the agency charged with the conveyance should be changed in the course of the transit at Suez and Alexandria, delay would necessarily take place, consequent on the examination and exchange of receipts; and under the consequent divided responsibility if a parcel was lost, there would be great difficulty in fixing the responsibility; this Committee have always considered that the communication should be carried on throughout under one agency and responsibility. As in London an individual can take a place or send a parcel to Paris, subject to the responsibility alone of the proprietors of the office in London, so an individual in India or England should be enabled to "book" himself, or send his parcel, through the whole line under one single agency; and if the "transit from Alexandria to Suez" is to be undertaken by the Company to be formed for bringing the communication to bear, the Committee would wish to know whether the "undertaking" embraces the transit of passengers and parcels; in a word of all persons and things that may have been "booked" for the whole passage.

10. The Calcutta Committee have thus frankly expressed their sentiments. Their views have all along been directed to obtain the *most complete* communication; they hold that this is precisely one of those projects which can alone work out the advantages derivable from it by its being carried into effect on the most efficient scale. They consider that it should be altogether independent of the Malta Mail, if by a connection with that mail, delay or obstacles occur; that the steamer should go direct from Alexandria to England, and there, if necessary, be subjected to quarantine; which, owing to the longer period of her absence from the suspected port, would be of shorter duration than at Malta; and, after the most mature consideration for the period of two years, during which they have examined the subject in all its bearings, they must avow their decided opinion to be that, without this continuous and uninterrupted course, and that held WITH THE UTMOST DESPATCH, the communication by way of the Red Sea will be found inefficient from any part of India, and for Calcutta and Madras nearly useless.

	Rs.
Calcutta.....	3,79,49,681
Madras.....	69,10,042
Ceylon.....	18,88,007
	4,57,47,730

11th. Besides soliciting your attention to the accompanying notes this Committee would refer you to the memorial of the inhabitants

	Recd.	Despd.
Calcutta	89,189..	72,397
Madras.	31,306..	40,614
Ceylon .	6,000..	6,505
	1,26 495	119,516
	1,19.516	
	2,46,011	

	Arrivals	Departures
Calcutta .	767 .	665
Madras . . .	573 . .	409
Ceylon. . .	85 .	17
	1,425	1,141
	1,141	
	2,566	

of Calcutta and its neighbourhood, from which you will perceive that the united annual average value of the Commerce with Europe of Calcutta, Madras, and Ceylon, even prior to the abolition of the right of the Hon'ble Company to trade, was Rs. 4,57,47,730, while that of Bombay was only Rs 1,63,89,629; that the number of letters received at and despatched from Calcutta, Madras and Ceylon, amounted to 2,46,011, while those of Bombay were only 54,000; that the annual number of passengers arriving at and leaving Calcutta, Madras, and Ceylon, from and to Europe, was 2,566, at Bombay only 603.

12. The Committee are quite aware that out of the united number of letters received at and despatched from Calcutta and Madras, amounting to 2,13,506, the greater portion would, even under the comprehensive scheme, pass through Bombay; but those for the towns of Calcutta and Madras would be passed direct to those places. The average number of letters *put into the Post Office at Calcutta* is 17,344, of these some undoubtedly are from the country, sent under cover to agents in Calcutta, but, besides this number, it is estimated that about 6,080 letters are despatched in the private bag of vessels, which letters do not pass through the Post Office The letters, therefore, *from* Calcutta alone, allowing 5,000 of those put into the Post Office at Calcutta to be from the country, may be fairly taken at 50,000 But the Committee are quite willing to allow, that for the sake of merely gaining a few days for this, or even double the number of mere letters of ordinary intercourse, it would be scarcely adviseable to seek the extension; yet when it is remembered that in that number is included correspondence connected with manual commercial transactions to the extent of near 4 millions sterling; that such extensive commercial transactions require the most enlarged means of correspondence, including the transmission of accounts, invoices, &c. the difficulties and expense of the conveyance of which must prevent their being sent by Bombay, when again the number of passengers passing between Europe and Calcutta, Madras and Galle, is considered in comparison with those from Bombay, viz. 2,566 to 603, that in the former number is included the individuals conducting commercial transactions to the extent, even prior to the abolition of the trade of the Hon'ble Company, of above 4½ millions, and that landing such passengers at Bombay, is worse than landing passengers for Great Britain on the Scilly Islands, the Committee do consider confining, for any period whatever, the communication to Bombay, is altogether inefficient; and that it would produce little comparative advantage, though its cost would be great.

13. Although unable, for the reasons assigned, to concur in the plan projected by your Committee, yet this Committee duly appreciate the assistance afforded to the cause by your labours and exertions in bringing the question so prominently forward, and in pressing it so strongly on the consideration of His Majesty's Government and of the East India Company.

14. The Committee are quite satisfied, let the result be what it may as regards your own immediate project, that your proceedings have formed one great and powerful link in the chain of events leading to the final establishment of the communication; and that you are therefore justly entitled to the thanks of the people of India, and of all who are interested in the success of this important measure.

15. The Committee are fearful that they may be considered to have extended this communication beyond reasonable bounds; but they are desirous of showing that their non-concurrence in your plan, is founded on well grounded considerations. They will, however, cause your despatch to be published in the papers of this presidency, together with this reply.

I have the honor to be,
Your most obedt. Servt.,
C. B. GREENLAW.

Town Hall, Calcutta, Dec. 26, 1836.

P. S. Besides this despatch, by this opportunity is forwarded a Tassin's map, with lines marking the proposed routes, and notes on those lines; together with a description and chart of Heavandoo Pho'o, the Northern Atoll of the Maldive Islands, illustrative of its perfect capability to be used as a depôt for coals.

NOTES OF STEAM COMMUNICATION BETWEEN ENGLAND AND INDIA BY WAY OF THE RED SEA.

The object of the communication is not merely to reduce the interval between written correspondence, but to bring the two countries into closer contact for ALL purposes, moral, political and commercial; this* object can scarcely even in a very minute degree be attained by confining the communication to *any one* point in India, owing to the difficulties of internal communication in India, arising from bad roads and the paucity even of these, but more especially from the nature of the climate. If it was confined to one port no other part of India could derive any benefit from it beyond the earlier

* Hitherto the question has been entirely considered abstractedly as connecting India with England. No consideration at all has been bestowed on the most important part of the question, viz how communication can be made to operate most advantageously for all India.

† The existing roads may be improved and new ones may be made at a great expence, but nothing can be done to ameliorate the climate or render it less an obstacle to overland travelling. The periodical heavy rains, at one period, and the burning sun at another, the lat-

ter rendering travelling by Europeans during the day impossible, cannot be prevented or mitigated.

receipt of correspondence, and that would require to be much limited in weight, and would be reduced in number of letters to a minimum,* consequent on the heavy expense of overland postage for double and treble letters, and the almost physical impossibility of the transit of enlarged packets of correspondence in such a country as India, the difficulties of which by *land* conveyance, as well for parcels as for individuals, are infinitely greater than any other country at all advanced in civilization. To a certain degree if it was confined to Calcutta, the advantages would spread over a larger space than at any other single point, owing to the comparatively reduced difficulty of travelling through the very heart of India by the Ganges, especially by means of the new Iron Steamers, but then the folly of carrying letters from the Red Sea to Calcutta en route to Bombay and the Western Provinces, is too *obvious* to need exposure; whence Bombay and Calcutta are clearly the two principal points to which the communication should be carried, and as Ceylon and Madras lay in the direct route to Calcutta, the communication would, as a matter of course, touch at these two places, even if their local consequence did not demand it

Moreover, very nearly the same expense would suffice for bringing the communication from England to Socotra, whether it was afterwards to proceed to Bombay, to Calcutta, or according to the combined plan of the Bengal Committee, viz. from Socotra to Bombay, to Galle, to Madras, and to Calcutta and admitting Bombay to be the best place, if it is to be confined to one port, the only additional expense would be in the line from Socotra to Calcutta, in which line, besides the King's Government of Ceylon, are included the two principal Indian Presidencies, and one of them the seat of the Supreme Government and of course the centre of all political movements of consequence, the relative commercial and indeed moral importance of Calcutta may be seen by referring to the *Memorial, the moral by the facility which would be afforded for the influx and spread throughout India of European Arts, Science and Knowledge, and by the very en large number of letters which are despatched thence, and the †Commercial by the great amount of commerce involved in part of those letters, again the facilities afforded for the extension of the communication through the very heart of India by means of the* River Steamers and the general navigation of the Ganges would of themselves establish the expediency of

* See also paragraphs 5, 6, 16 and 18 of Committee's letter to Lord William Bentinck, 23th January 1834, and the parts of His Lordship's reply marked No. 1

† See Memorial.

* See accompany memorandum by Captain Johnston. These Steamers in their progress pass the following places.

Via Sunderbunds.	*Via Bhagiratty*
Kooliu,	Serampore,
Commercolly,	Chandernagore,
Bonleah,	Hooghly,
Sooksaugor,	Culny,
"	Nuddea,
"	Berhampore,
"	Moorshedabad,
"	Jungypore,
Rajmahal,	
Colgong,	
Boglepore,	
Monghir,	
Patna,	
Dinapore,	
Buxar,	
Ghazeepore,	
Benares,	
Chunar,	
Mirzapore,	
Allahabad.	

extending the communication to Calcutta.

It does not appear that any individual has yet ventured to oppose the communication for its own sake, no one has attempted to urge that its establishment is not fraught with advantages to both countries, there are doubtless various opinions as to the extent of these advantages, but no one has ventured to say that the communication would lead to evil or even that it is useless. The Court of Directors themselves admit that it would be advantageous, and their organ, Mr Peacock, in his memorandum, presented to the Committee of the House of Commons, dated 2nd December, 1833, says "for the objects contemplated by the Indian Governments, steam navigation would require to be carried on, on a large and efficient scale:" between doing it efficiently and not doing at all, there seems to be no advisable medium"

* This is a fundamental principle and cannot be too much insisted on, for a communication would be entirely ineffectual unless carried to Bombay, to Ceylon, to Madras and to Calcutta, and that with the utmost despatch possible.

The essentials for working out this principle of Mr. Peacock, are, first, that the communication should spread along the shores of India from one extremity to the other, viz. from Bombay to Galle, to Madras, to Calcutta, with the prospective extension of a branch off from Galle to Penang, Malacca, Singapore and China, and another possibly to the Mauritius from Socotra

* It may at present perhaps be considered as looking far into womb of time, every thing to shew that such a communication being established, a branch off to the Indus from Socotra may ere long be required to give full effect to the important object of introducing the knowledge and Science of Europe throughout India, and indeed reaping from the latter (the countries in the neighbourhood of the Indus) a rich harvest of commercial wealth beside opening the road for classical research.

The second essential is *despatch*, and the third, which is almost a corollary of the second,—single Agency throughout out the whole line from Calcutta to England with the branch from Bombay to Socotra. The necessity for the first essential will be apparent by comparing the diminutive consequences (though causing great expences) of confining the communication to Bombay with the enlarged consequences (at a comparatively small additional expence) of the extension as above. This comparison may be made by referring to the letter of the Committee to Lord

William Bentinck and his reply, and it may be affirmed that the great object of the communication can be *in no other way* attained.

The necessity for the second essential despatch may be gathered from the very nature of the thing itself. If the communication were monthly it would be essential, because the principle being to ensure as speedy intercourse as possible, unless the speediest possible is laid down as a fundamental principle of the communication, there is no saying where we are to stop in admitting of delay: but in a quarterly communication it is positively indispensable to admit of all India answering letters received by the return Steamer, and this also renders it indispensable that there should be no delay of the Steamer at Suez.

The third essential is necessity—first, because without it there cannot be the most complete despatch, for even if there was a steamer to run from England to Alexandria, independent of the Malta mail, and thence enabled to proceed without stopping except for fuel, still if the responsibility of the carrier ceased there, it would be necessary to give time for the transfer of the packets and numerous packages and parcels for all India to another Agent. Passengers desiring to proceed with the speed of the packets would have to make arrangements for that purpose, and probably be at Suez too late, and there would be no security that either passengers or parcels could be conveyed throughout without waiting a period in Egypt.

For this see paragraphs 8 & 9 of the letter to Lord William Bentinck and the last part of his reply marked 1.

Again, valuable packages and parcels could not be sent with any ordinary security except on one agency throughout, from Calcutta there would be a large quantity of parcels for despatch by every steamer, some of value. Now a party having to send such a package, say of jewells, or pearls, can in Calcutta only make arrangements for its conveyance to Suez; the owners of the steamer would say at that place our responsibility ceases, to whom is it then to be entrusted? to an Agent there? but time must be required for the interchange and for the Agent there to give receipts to the commander of the steamer, and then again it has to be transferred in like manner at Alexandria and again at Malta! How can this be done with all the packages and parcels from India and being done, if any loss ensues, how is the party to proceed to recover? no one would ensure safe delivery under such circumstances. Again, a passenger arriving in Egypt, whether bound to England from India or from England to India, could never be sure of finding a vacancy in the steamer leaving Egypt either way. In this, as in all similar cases, the simplest course is the best, and nothing can be more simple than the following conducted by one contractor for the *whole line*.

Let there be* two steamers of the largest and most powerful class on this side, belonging to supplies monthly one Calcutta, and a similar one on the other side. Let each of these have the accommodations so arranged, that there shall be a portion set apart for each, of the Presidencies and Ceylon in the proportion of their relative intercourse, and let each have four separate holds or receptacles for the packets, parcels, and packages and baggage of each place, and let each of them in other matters be *precisely* alike. Assume that leaving England, say on the first of January, the steamer will reach Alexandria on the 20th. On arrival, the contractor's agent should be in readiness for the transport of the whole to Suez. This, after the most efficient arrangements possible shall have been had for the express purpose, independent of the contemplated rail road between Cairo and Suez, might be done in four days say five. The party would arrive there on 23d January. They embark, and having in the English steamer occupied their own separate accommodations they would on joining the Indian steamer go to *precisely* similar, it being part of the plan that the three large vessels are *in every respect alike*: passengers (as all they may be called) who have been spending time in Egypt must of course take their chance for vacant accommodations of which there can be little doubt, as very many of those who came from England as well as of those leaving India for England, would remain a period in Egypt. The Indian mails, &c. in the mean time go on to Alexandria, and embark there on the 28th Jan., and arrive in England 15th February, as the steamer has not got again to go before 1st April, she has plenty of time to refit, and so on throughout the year.

The Indian steamer left Suez the 23d January, the distance from Suez to Judda is 625 miles, and from Judda to Socotra 1250, in 1875 miles and such a Steamer as that mentioned might proceed the whole distance without going to Judda, that however, is of little consequence for the present illustration; but allowing an average throughout of 6 knots 4 inches per hour or 160 miles per diem, with a 30 hours, stay at Judda, she would get to Socotra on the 4th February. Here a Bombay Steamer of reduced size and charge, would be waiting, she having brought the Bombay Cargo to the large Steamer on her way to Suez. She would start immediately on getting her freight on board and would reach Bombay in eight days, or on the 12th February, at 13 days from England.

* This has reference to a quarterly communication, but of course the same reasoning

* There is a strong and scientific party at home, whose motto is short stages and as long stay as possible. The object is to preserve the machinery more with a view to make it last a longer period than from apprehension of accident during the current voyage. Where despatch is not a positive essential, short stages and long stay may be admissible, but in this case despatch is the principle and there should not be *one moment's* more delay than is necessary for security, and in that is involved despatch, for without security there is no despatch, but it should be

the security of a mail coach It is not contended, that provided the machinery and boilers make the voyage it is of little consequence how they come into port where they can be put in order, but it is contended that not one second's delay should be allowed for the mere purpose of prolonging the period, during which the machinery, &c. may be retained serviceable with a view to save the expence of new Moreover, it is chiefly the boilers that require this relaxation, and probably the new method of distilling salt water may do away with this difficulty, but Captain Johnston has suggested *two sets of boilers.*

Staying a day at Socotra, the Calcutta steamer would leave it on the 5th February, and reach Galle on the 15th, stay there one day, and reach Madras in 3 days nine hours, stay the remaining portion of the day, and she would leave on the 19th and reach Calcutta in 6 days or the 25th or 56 days from England or 33 from Suez. Having thus worked from Calcutta to Suez and back she would lay up, and the 2d steamer go with the next quarterly trip: and if there were three of the large class on this side, the arrangement might be that a steamer might always be waiting at Suez for the English mails, &c. which would ensure that no delay took place either way, and the steamer would have great relief, only two crews would be required.

NOTES TOUCHING THE IRON STEAMERS NAVIGATING THE GANGES, IN CONNEXION WITH STEAM NAVIGATION TO ENGLAND.

Nothing short of rail roads can have a greater tendency to extend commerce and intercommunication between the remotest provinces of Bengal and Agra, including within their range, and especially along the banks of the Ganges, all the principal commercial and military stations of the two Presidencies, than the establishment of the iron steam boats on the Ganges. This measure originated with Lord William Bentinck, and was, perhaps, the first to which his attention was directed on his arrival in India, in 1828. The difficulty of uniting in the boats to be employed, qualities rendered indispensable by the peculiarities of those rivers* on which they were to navigate, viz. large capacity for cargo and passengers, and extreme lightness of draft, rendered it necessary to tax the ingenuity of English mechanists, and the desideratum was at last obtained in a boat, the Lord William Bentinck, first tried upon the river Thames, constructed of iron by Maudlays, Sons and Field, fitted with their patent oscillating Engines and capable of tugging at the rate of 7 miles per hour; anthor iron boat of equal dimensions and draft of water, capable of accommodating a large number of passengers with about 3,000 cubic feet or 45 tons weight of cargo. Four pair of these boats, in pieces convenient for construction in India, were sent to Calcutta, by order of the Court of Directors of the East India Company. The first pair was complete, and began to ply between Calcutta and Allahabad, in the end of August 1834, the last was launched in January 1836, and up to the present time these boats have made 18 voyages upon each occasion, filled with freight, and generally with passengers also. The demand for freight for goods very far exceeds the present limited means of meeting it, and upon every occasion of the despatch of a boat, many hundreds of feet of cargo are rejected for want of space, to the great mortification of the native merchants, the principal shippers, who are more than compensated for the high charge of freight (60 rupees per ton measurement or 150 per ton weight) by a lessened rate of insurance and quick return. The demand for passage is greatest, and also exceeds the present means of meeting it at that season of the year when individuals and families from the remotest stations, within the Bengal and Agra territories, flock to the most convenient stations on the banks of the Ganges, for the advantage of water carriage to Calcutta, to embark themselves or their children for Europe; those also who arrive in Calcutta, destined to the Upper Provinces, are delighted to find the means of speedy conveyance to their respective stations, which enables them to perform in three weeks, a journey that before the establishment of these boats occupied as many months, but none are more loud in their praises of this great undertaking than the booksellers and publishers. The periodicals of Europe and America are dispersed at a quick and cheap rate over the greater part of India by this valuable branch of India steam navigation. I may be charged with an anachronism in calling internal steam navigation, a branch of which the steam does not yet exist (viz. the Steam Communication between England and Calcutta) but let it be remembered that this had its existence in the mind of the whole European population of India, and of those in Europe, who took an interest in the welfare of India, many years before the internal steam navigation was perhaps thought of, or at least considered practicable; and that the habit of considering the former as an indispensable, a paramount object, necessary to the good Government and the prosperity of India, led naturally, in the comprehensive mind of the nobleman who has been its chiefest promoter and support, to the contemplation of the greatest possible extension of the benefits he foresaw as crowning its successful accomplishment.

* Eventually they are intended to navigate the Berhampooter.

* The existing demand for Tonnage on the Steam Boats at the present prices, would scarcely be met by a weekly dispatch, and the four iron boats whose monthly voyages on the *Ganges* have hitherto been bounded by the confluence of that river with the Jumna, can only be considered as the nucleus of an establishment, whose operations will be extended* wherever water may be found for navigation; and carrying commerce to regions yet unexplored or little known, will open out the resources of the Empire until the

* The river steamers may certainly ere long be expected to reach Cawnpore and Meerut on the *Ganges*, and Agra on the Jumna.

demands of trade shall require, and the prosperity of the country admit of, the adoption of a more speedy means of transit; rail roads or canals, most probably the former, will then supersede the comparatively tardy and hazardous steam boat, and the changing and rapid rivers of India will cease to be the high road for all but hay, straw, and timber rafts.

That this will come to pass, I have no doubt, but how much will the time of its accomplishment be accelerated by a Steam Communication with Europe!!! British capital employed to clear the roads and work the mines of North America, to establish rail roads and other public works, and commercial companies on the continent of Europe, is withheld from India only because India is too remote and difficult of access, and the interval of communication too tedious for the sanguine capitalist who chooses to watch the fluctuations and progress of his speculations; but fill up this gulph of separation, shorter the time of communication, and above all, give a facility to personal intercourse and British capital, British enterprize will speedily change the jungles and wastes of India into luxuriant plantations and rich fields.

Contemplating such results, we might Lord William Bentinck declare that Steam Communication with England, would be cheaply bought at any price.

By order of the Committee,
C. B. GREENLAW, *Secretary*

Ind. Gaz. Jan. 6]

To the Editor of the Bengal Hurkaru.

Sir,—Understanding that a paper is in circulation for the purpose of procuring signatures to an agreement *to take shares* in Major Head's Scheme for opening Steam Navigation between England and India, by way of the Read Sea, "*on the pledge contained in his letter!*" that eventually a steamer shall run on to Calcutta, I would observe that there is no such pledge at all in Major Head's letter; and what there is comes only from a "Provisional Committee," and may be easily set aside by the permanent Committee, when the real prospectus comes out, if, it ever does so; *especially as it forms no part of the "outline of the plan submitted to Government and the East India Company!!"* In fact, having this outline *to the above parties* submitted £2,00,000 as the capital "for the whole Service," it is stated in a mere letter to the *Calcutta Committee*, that:—

"The comtemplated outlay of the present plan is not expected to exceed £2,00,000; *but as it may be reasonably expected that the undertaking will eventually embrace a wider range by extending the communication to Ceylon, Madras, and Calcutta*, it is proposed to form a Company composed of 4,000 shares at £100 each, of which for the present we only contemplate the call of one half."

But let us see *under this projected plan*, if once carried into effect to Bombay, what likelihood there is of this "reasonable expectation coming to pass.

The projectors seek £40,000 from the Government. Here is their fundamental error in regard to the ways and means. They do not take their stand boldly on the resolution of the Committee of the House of Commons, that one half the expense should be borne by England, a resolution notoriously in consonance with the general feeling of the House, and which could not fail to be responded to by the whole country! they do not even ask His Majesty's Government to pay one farthing on the part of the British public in support of that measure, which Mr. Grant declared it was equally "our interest, policy, duty and glory," to carry into effect; but they literally *offer a bribe* to the *King's Government!!!* They propose to do the Government Mediterranean work for £40,000 per annum; the present cost of which Major Head describes as follows: But a very close estimate has been made that the expense to Government for the performance of the same duties is £60,000 or 70,000, perhaps £80,000 per annum." I will let pass a *close* estimate giving the results of 60 or 70, *perhaps* 80 thousand pounds, and leave the subscribers themselves to judge from this of the reliance to be placed on the other estimates; but besides this bonus of £20,000 perhaps £40,000 per annum, Major Head adds as a further bribe to the King's Government, "besides that the communication between England and India will be thrown in as a bonus!"

So much for the Glory that will accrue to England by Major Head's scheme! So much for pecuniary assistance from England, under it, towards establishing the communication!!

But they ask from the East India Company, £25,00 per annum for conveying the official despatches monthly to Bombay; they make no provision for additional contribution for the eventual carriage to Calcutta, in fact they do not even hint at any such intention. When, therefore, this eventual extention comes to be considered, their will be other parties, namely, the Court of Directors, to consult. How then, can the projectors at home come under any pledge to extend the communication on which the slightest reliance can be placed? and be it remembered that the parties here taking shares on any such pledge, must pay their half, and take their chance of the fulfilment of the pledge, even if it were made; but it is not; and such as it is I have shewn that it is not even hinted at home, but is reserved for *the community of India alone!* and at Calcutta at least it seems likely to answer the purpose for which, if done advisedly, it must have been intended.

I am not prepared to say, whether this holding out to the Calcutta Committee "a reasonable expectation" that the communication will eventually extend to Calcutta, and omitting all mention of any such reasonable expectation at home, is done advisedly or not. It is certainly very remarkable, that Major Head's letter to the Chamber of Commerce at Liverpool, dated 3d August, though it proceeds

to lay before that body the "outline of the plan," and, copies of the letters to the Lords of the Treasury and the East India Company, makes no mention whatever of Calcutta, or any probable extension, *nor does it ask the Chamber of Commerce to take shares*, nor is the reply of the Chamber of Commerce sent to us.

However, I do not belive that this holding out to us a "reasonable expectation," and saying nothing about it at home, has been done with any sinister view. I rather think that, so ignorant were these projectors of what is required in a communication *with India*, they never dreamt for one second of such extension being at all necessary or even expedient. I think Major Head's first printed letter explains the matter. In it he adverts to the Calcutta and Madras petitions, and it must have been on seeing these that the projectors of a Steam Communication with India!! first surmised that there was something more in the matter than had been dreamt of in their philosophy; but instead of opening their eyes to the full extent as to the necessity of remodelling their project, they are content, on the spur of the moment, to hold out a "reasonable expectation."

But I may ask what confidence can the subscribers have that the scheme will be extended, when its projectors only hold it out as a "reasonable expectation," I at least have none.

Another ground on which I must confess I have no confidence in the projectors, independent of their scheme, is derived from their representation to the Calcutta Committee of the result of their interview with the President of the Board of Control, compared with what is given by Captain Barber in the *Hurkaru* as having actually occurred.

Of this interview they say in their official communication to the Calcutta Committee:-

"A conversation first took place with Sir John Hobhouse, *when all the details of the project were discussed* Mr. Crawford, Mr. Bagshaw, Mr. Morrison, Mr. Hutt, Lord William Bentinck, and others pressed *the importance* of the *present proposal* with its advantages, &c.

But the actual conversation gives the following:—

"Mr. Crawford. The object seems at present to be this, to conciliate the favorable opinion of Government, to induce the Government to become contractors, to feel the disposition of the Government whether they are willing to change their present system, and to enter into contracts with responsible persons for the purposes which have been mentioned, and if so, the parties would also seek to have the support of the East India Company.

* * * * * *

"Mr. Crawford. I am anxious not to lead to a discussion of the relative merits of the plans at all; this is not the time for that. I am under the impression that the East India Company will willingly abandon theirs

* * * * * *

"Sir. J. Hobhouse. I think it will be prejudicial to your whole project to decide at once what route you will take. Your first proposal, as appeals to me, if I understand you correctly, is totally distinct from your final resolution as to the route that you may adopt; therefore, if I may be allowed at all to advise, I would recommend you to confine yourselves to the establishment of such a scheme as might on consideration be acted on, and which experience would shew to be most advisable.

"Mr. Crawford. I came here entirely with that view, and for that purpose, without having at all made up my mind as to which would be the best route, but having in view the establishment of a quicker mode of communication with India without at the present moment being a party of to any plan We may all have our opinions as to which is the best; but it appears to me it would be very unwise to put forward any plan, particularly at this time.

Mr Crawford.———, but it is in the preliminary arrangements that the parties must assured they will not meet with impediments in the fair adjustment of the details.

"Sir. J. Hobhouse That is a question to which, of course, you will not expect me to give you an answer this moment.

"Mr Crawford. The object is rather to enlist your good feeling in favor of the object, and to see if the King's Government and the Company cannot be brought to assist in forwarding the plan.

"Mr. Crawford. The great object is to know the disposition and views of the Government.

"Sir. J. Hobhouse. You do not expect to have that to day?

Mr. Crawford. No by no means; this is only introductory to that.

"Mr. Hutt. We wish to lay the project before you, and afterwards through your instrumentality before the East India Company.

Sir. J. Hobhouse. The object of your coming here to day is, that you would not like to engage in any preliminary steps further than the communication you have with one another, unless you saw a prospect or something like a chance of encouragement from the Government and the East India Company."

Now, this conversation shews not only that there was no discussion of the "details of the project;" no pressing the "importance of the *present proposal*" as averred by Major Head in his despatch to the Calcutta Committee, but that the parties themselves expressly

disclaimed all idea or intention of discussing any plan at all ! !

I confess that when I find such an evident inclination to have it understood that the "present proposal" and "project" were discussed, and their importance specially urged—not the importance of the communication generally —but "the importance of the present proposal with its advantages"—and that the "present proposal" and "project" were favorably received, and not the general question, I repeat I confess my confidence is by no means raised; while the entire absence of any communication of the result of this interview to the *British Public*, although the *Times* expressly reprobated this concealment, tends further to repress any feeling of confidence which I otherwise might entertain from the respectability of Major Head's name. But it is very extraordinary that the parties should thus furnish to India, first, a result of that interview, and secondly, a detailed statement, yet withhold studiously from the British public any further information beyond expressing that they were satisfied, on which the *Times* declared they ought to have shewn the grounds of their satisfaction. This they did not do at home!

But I would ask further, where, in any part of the conversation, is there the smallest indication that, as stated in Major Head's despatch, "further Regulations as to postage, conveyance of depitches, &c. was (Que. were?) entered into."

Does not such a declaration indicate a wish to have it supposed that the "present proposal" and "project" were so far entertained by the President of the Board of Control and the Chairs of the Court of Directors that "*further regulations!*" were entered into in respect to *them!* Whereas the fact is that the parties *avowedly* went *only to feel the pulse of the Government and the Court!!*

Next, where is there any detailed statement of probable expenditure and receipts to warrant men with ordinary discretion to commit their names as subscribers? Even the size of the vessels is not given; all that is said is, that the anual expenditure is estimated at £1,23,000 or 12,33,000 rupees. The returns given are alone those to be derived from the King's Government and the East India Company, and these amount to 6¼ lacs, having 5, 73,000 to be obtained from the postage and passengers from Bombay alone!! I shall not enter into any argument to show that this sum cannot be thus raised. It was the business of the projectors to have shown that it could, before they asked the people of India to take shares.

Next. Who has subscribed for shares at home? not one name is given. They have a host of names to the following and *to these only they sought the concurrence of the Liverpool Chamber of Commerce.*

"We, the undersigned, are therefore (with reference to a resolution of the Committee of the House of Commons) of opinion, that if a regular and speedy communication of Steam Vessels between this country and India viâ the Red Sea were established, it would tend materially to promote the commercial interests of both countries, and be in various other respects productive of national advantages."

This is all that the projectors have been enabled to show us of the feeling of the merchants of London, when they come and ask us to take shares in their *Project*, throwing out to us the bait of a "reasonable expectation" that they will extend the communication to Calcutta, which expression of a reasonable expectation some wise-acre here has construed into a Pledge!! I say nothing here of the sacrifice of the Indian part of the project to that of the Mediterranean, by which the correspondence of India is to be detained at Malta till the Falmouth Mail may start, and not even then to be received on board unless it has undergone the process of fumigation. I say nothing of the great expenditure and little benefit to India. The objections to the project appear to be so plainly exposed in the correspondence lately published, that I need not repeat them. I am satisfied that the parties who have subscribed to the project have been induced to do so from the most anxious and zealous motives, but I do not think they have exercised discretion.

I would put two things to their consideration. First, I will suppose the present project for opening the communication to Bombay alone perfect in itself, and I will suppose that the project does (which it does not) contain a most distinct pledge *on the part of the projectors*, eventually to bring it on to Calcutta. This, I think, is placing the question in the most favorable point of view possible as an inducement to people here to subscribe; but let us look a little further; as yet we have not the least reason to suppose that whenever the King's Government and the Court agree in the principle, viz. that it is expedient to establish any Steam Communication at all, they will not carry it into effect *perfectly*. The opposition is at present confined alone to the *principle*; and it is now understood to be limited to the *smallest possible majority* in the Court.

The subject has but very lately been taken up at home at all. The petitions of Calcutta and Madras had yet to be brought before the British public. The Calcutta Committee, in their late letter to the Bombay Committee, have declared that they have directed that "certain measures should be pursued for making it (the Calcutta petition) known through the country, and they confidently expect, when the measures shall have been taken, that the feeling in favor of the Communication will be so general that the opposition to it must yield."

These arrangements will have been brought to bear in all September; and surely we may be content to wait and see what effect they will have in stimulating the British public to call for the communication as we have done here. When parliament next opens, the Calcutta and Madras Petitions will be presented, being backed by the intermediate discussion in, and by the support of, it is to be hoped and *expected*, the whole British Press, of England, of Scotland, of Ireland. Can any other result be well xpected, but that opposition will be disarmed, and the communication resolved upon.

Now, the organ of the Court of Directors in this matter has it expressly declared, that "between doing it efficiently and not doing it at all, there seems to be no advisable medium;" and I would ask when did the Court of Directors ever undertake any great measure of this kind, and not carry it through effectually. Hence it is, I am led to conclude, that when opposition ceases, and *any thing at all is done*, it will be done "*efficiently*;" and that can only be done by extending it to Calcutta. But assuming that it is not extended to Calcutta, their can be no question but that it must go to Bombay. Why, therefore, should we now do any thing that should imply our concurrence in its doing so alone for one single voyage? Would not such a course, without advancing the establishment of the communication to Bombay one day, be likely to prevent its extension?

Secondly. I have argued this part of the question as if the "present proposal" and "project" were perfect as regards Bombay, and that there was a distinct pledge that it should be eventually extended.

But neither is the case, and therefore the arguments used have increased force, independant of this consideration, and *a most important one it is*, namely, that the parties who may now conditionally take shares on this miscalled pledge, will find themselves placed in a situation of difficulty, and perhaps annoyance to themselves, should any other *more perfect* project be produced; than which few things are more likely, whenever the King's Government and the Court united in determining that the communication shall be opened. When they do so, they will lay down the plan; and surely all our endeavours should be devoted to induce them to adopt the most perfect and efficient.

Let them bear in mind, that the project to which they are about to commit themselves, was got up, not only in utter ignorance of what was doing in India, but in such entire ignorance of what is really required for India, that, as before noticed, in their original scheme, they never dreamt of the smallest necessity of any extension. Their views were limited to Bombay; and it was only when they read the Calcutta and Bombay petitions that they opened their eyes to the fact. No, not even that, but the simple *surmise*! thus expressed: "*but as* it may be reasonably expected, that the undertaking will, &c." That such is their case, there can be no doubt; for unless it is so, there can be no other conclusion come to, than that there is one project for home and another for India, which, for their integrity's sake, I have distinctly disclaimed.

As, therefore, this project was proposed before it was known that we were stiring ourselves, and also in utter ignorance of what is required for India; and, moreover, as these projectors themselves have declared that our petition and memorials, though at the time only known through the medium of the Indian papers, had "materially strengthened the cause, and been useful instruments on the occasion: when, further, we are told, that energetic measures have been directed to be adopted to bring these petitions and memorials to the notice of the whole British population, through the medium of the Press, ought we not to wait the result of what has been done, before we commit ourselves to any project short of the most perfect and comprehensive one; may we not otherwise be found in the situation of a chess-player, who betrays his second move before he has seen the effect of his first!

I desire not to be misunderstood quite. I am sensible that the exertions of Major Head have been of eminent use in bringing the matter to something of a crisis at home. The outline of his project has done all that it can do of itself; but backed by the effect, which it may be expected the Calcutta and Madras petitions will produce, we may fairly calculate on its bringing the King's Government and the Court of Directors to unite, in determining, that the communication shall be opened. To them it belongs of right, but especially under the resolution of the Committee of the House of Commons, to determine the route, &c., until they do determine this, surely it should be our business to urge the most complete and comprehensive scheme on them.

Calcutta, January 9, 1837.

[*India Gazette Jan.* 11, 1837.

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—In your remarks to-day, on the widely discussed subject of Steam Communication, and the conduct of the Bombay Steam Committee, I certainly think you have done the latter injustice, and overlook the circumstances in which they were placed when the resolutions lately promulgated were passed. The Government of Bombay had then received dispatches conveying the sentiments of their Hon'ble Masters, and positvely forbidding any future mission of the *Hugh Lindsay*, or the incurring of any expense, with overland packets. The Community of Bombay were then in entire ignorance of Major Head's plan, except some stray extracts from private letters, which appeared in the newspapers; but none of the details, as conveyed to us and pblished here were in their possession. I cannot conceive, therefore, that the conduct of the Bombay

Committee, in passing these resolutions, can be a matter of condemnation, except in so far, as they diverted any part of the funds from the Red Sea to the Euphrates route. These resolutions were framed under the impression that the Court of Directors had interdicted the Communication on the ground of the expense, and in the hope that the placing of the Bombay fund at the disposal of Government would prevent the interruption to the communication from such a cause, so likely to prove detrimental to the Steam Communication by lessening the interest connected with it. I quite agree with you in respect to the proposal to divert part of the funds to the Euphrates route. I can only attribute its origin to the presence of Colonel Chesney in Bombay, and the influence of personal intercourse overcoming matured judgment and experience.

From circumstances which have since taken place, this proposal is likely to fall to the ground; and although your contemporary of the *Courier* alludes to a supply of coals being destined for the Persian Gulph, as indicative of an intention on the part of Government to keep up the Syrian communication, I think it more likely the coals are meant for the use of the new Steamers, to be hereafter employed in these Seas in the suppression of piracy and taking the place of the Indian navy cruisers. Nothing should allow us to be diverted from the Red Sea route, which will eventually be the true and only one.

At the risk of incurring your censure, I venture a few remarks on the objections raised by Mr. Greenlaw to the proposals of the new Company, communicated by Major Head and others. In the 7th para. of the Calcutta Committee's reply, Mr. Greenlaw draws the attention of the provisional Committee in London to Captain Wilson's opinion, "that during four months the strength of the monsoon operates so, as if not to prevent the communication from Bombay, at least to render it useless." In justice to Captain Wilson, let it be stated, this opinion was given under reservation and applied to his experience in the *Hugh Lindsay*! but query! do not the same arguments have any force in respect to the communication by steam from Calcutta during the same period? Positive experiment with *efficient vessles*, can alone settle the question as to the practicability of steaming against the S. W. monsoon, both as to the power of the steamers and as to the time: opinions on this head are quite at variance; but I am not so sanguine as entirely to overlook the chances of disasters which may occasion a general disappointment and create an irremediable gap in the chain of communication. It is a matter of serious enquiry, in the infancy of steam communication with Europe, which plan is likely to be most exposed to such disasters, and whether the space to be traversed, from Calcutta round Ceylon, compared with that from Bombay, does not present a much wider field for the occurrence of such untoward events. In the Bombay line, except during the boisterous months of the S. W. monsoon, no obstacles whatever present themselves to the communication being constant and regular, and even those alluded to may be overcome; but in the Calcutta line, besides the S. W. monsoon, the steamers would be exposed the chance of bad weather and interruptions at other periods of the year; as for example, the gales in the Bay in October and November; the westerly gales off Ceylon, which, on two occasions, obliged the *Enterprize* and *Falcon* to put back after attempting to round Dondra Head. All our experience hitherto, from this side, does not tend to diminish the force of what I have advanced; and knowing the inefficiency of the means at any of the other ports except Bombay and Calcutta, to repair an accident to the steamer, I ask where would the greatest delay take place, considering the distance of the space to be retraced. It is at the outset that disappointment would be keenly felt, and any interruption to the working of the comprehensive scheme would be far more injurious and lasting than a suspension, which would be merely temporary, from the other side, where the means of repair are much more at hand.

In the 9th para. of the Secretary's letter an objection is raised to Major Head's plan under an erroneous feeling. It is on the score of separate agencies, and the supposition that the E. I. Company is meant to undertake the transit of the mails from Alexandria to Suez. Now let any one read the outline marked No. 2—and I cannot imagine how Mr. Greenlaw could have conceded the E. I. Co. as the parties meant. This paper states the new company are to have two steamers to be confined to the communication *between Malta and Alexandria*, (the transit from Alexandria to Suez to be undertaken by the Company). It then states *four vessels are to be employed for the service between Suez and Bombay*. No one can suppose the New Company, who have the charge of the communication in the Mediterranean and Red Sea, could mean to surrender such charge, to the East India Company for the transit in Egypt. No; Mr. Greenlaw's objections, therefore, to separate agencies and fall to the ground. If the East India Company had been meant, they are put with much force, and are unanswerable.

Passengers I must still consider secondary. What, after all, are the accommodations which the steamers will afford, and the number of persons they will be able to take? I venture to say they will be totally inadequate to carry the number of passengers who would prefer the route overland; and a proof of this assertion may be found from the number of passengers as stated in the shipping lists, which this season have left Bombay in sailing vessels for the Red Sea. *Dispatch* is the *main essential* of the Steam Communication, but such dispatch is not the principle object of passengers in taking the Red Sea route. The disagreeableness of a long sea voyage, curiosity

to view the wonders of Egypt, the novelties of an overland trip, &c, &c., are more powerful motives than mere dispatch with them; besides, quarantine regulations must always as they are concerned, interfere. All they require is a beaten track, some guarantee for their safety, comfort and convenience, and also facilities of transit in the Red Sea, Egypt. There will naturally grow out of this an established Steam Communication, at periodical times, sanctioned by H. M. Government and the Court of Directors. As the route becomes frequented, the means of conveyance from India, will, no doubt, meet the demand, and we may yet see a profitable Communication by Steam confined to a Company on this side the Isthmus.

The question now here, however, is nothing more than one of idle discussion; and rests with parties who may or may not give their support: viz. the Government and East India Company. A little time will unfold their views, and it is only in the fear that, as you remark, if either are insincere, advantage may be taken of disunion in India to delay the boon altogether. I do not think the general support of Major Head's plan would compromise any of the Presidencies.

Yours faithfully,

10*th Jan.* 1837. *AN OBSERVER.*

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—I am happy to find that a modification is in contemplation in the proposition connected with Major Head's project. I concur entirely with you in considering this modification much more deserving general support, than the original one; but I also concur with you in thinking, that it would have been better, if it had "merely gone the length of pledging support to the establishment of Steam Navigation *via* the Red Sea, as evidence of the strong feeling in favor of the measure, leaving the details to be adjusted after the principle had been settled, and the support of the British Government, and the East India Company secured."

But I think something like the following would have been better still.

"We, the undersigned, continuing to feel the strongest interest in the establishment of a perfect Steam Communication between England and India, consider that the thanks of the Indian Community are due to Major Head for his exertions in bringing the subject so decidedly to the notice of His Majesty's Government and the East India Company; and feeling that Major Head is entitled to support in his further endeavors to establish such a communication, we pledge ourselves to afford him our support by taking shares and otherwise whenever he shall have arranged a scheme comprehending Bombay, Galle, Madras and Calcutta, which shall have received the concurrence of His Majesty's Government and the East India Company."

The modified proposition still pledges the subscribers to "*the* scheme" which throws overboard the Resolution of the Committee of the House of Commons touching half the expense being borne by England; which sacrifices the Indian part of the Communication to that of the Mediteranean; and which exhibits a sum of Rs. 5,72,000 to be made up from passengers and letters from Bombay alone.

I think, therefore, that a more general pledge would be preferable, the great object of the parties being, as I take it, rather to exhibit publicly the unabated desire of the Calcutta Community for the perfection of the communication, than to support any particular scheme.

Allow me to offer a few remarks on the letter in your paper of this morning by AN OBSERVER.

Remarking on the Calcutta Committee's Reply to Major Head, he says "In the 7 Para. of the Calcutta Committee's reply, Mr. Greenlaw draws the attention of the provisional Committe in London to Captain Wilson's opinion, "that during four months the strength of the monsoon operates so as, if not to prevent the communication from Bombay, at least to render it useless." In justice to Captain Wilson, let it be stated, this opinion was given under reservation and applied to his experience in the *Hugh Lindsay*; but query? do not the same arguments have any force in respect to the communication by steam from Calcutta during the same period?"

AN OBSERVER is quite mistaken in respect to Captain Wilson.

In his first pamphlet he says distinctly:—"From the middle of May till the end of September the prevalence of the S. W. Monsoon between the Island of Socotra and the Indian Coast, prevents the possibility of Steam Communication."

Here is neither reservation nor reference to his experience in the *Hugh Lindsay*, but a plain, broad declaration that for 4½ months Steam Communication from Bombay is *impossible*. Subsequently he stated, that in his former pamphlet he had only noticed Steam Communication during the N. E. Monson, it having been assumed that no one possessing a competent knowledge of the weather and localities would for a moment have entertained the notion of a regular communication with Suez during the S. W. Monsoon, and he afterwards adds:—

"My own opinion that a regular Steam Communication during the S. W. Monson, between Bombay and Suez, is not practicable in a way to the return or advantages meet or worth while the expense, is founded on many years' experience of the winds and weather in the Red Sea, and between it and Bombay at all seasons."

Are not the Committee, therefore, borne out when they say that Captain Wilson has

declared an opinion "that during four months the strength of the monsoon operates so as, if not to prevent the communication from Bombay, at least to render it useless? But it has not been my lot to find any single individual who differs from this opinion of Captain Wilson.

An Observer then proceeds to discuss his own question, viz.: "do not the same arguments have any force in respect to the communication by steam from Calcutta during the same period," and he then instances the failure of the *Enterprize* and *Falcon* in attempting to pass round Dondra Head, and refers to the probable obstacles of October and November gales in the Bay.

For the first, I have no recollection of any attempt of the *Falcon* to steam round Dondra Head; and with regard to the *Enterprize*, I wish to touch as lightly on her failure as possible. I will only say that she was then commanded by an officer who had not had the smallest experience in a steam vessel, that the chief mate who had experience, was of opinion that he might have got round if properly managed. I will unhesitatingly give my own opinion that if she had been commanded as she was during the Burmese War, when neither gale or monsoon ever stopped her between Calcutta and Rangoon, she would have effected it.

Experience has already settled that the S. W. Monsoon is no obtsacle to Steamers in the Bay. The *Enterprize* herself passed down to Ceylon in the middle of May, opposed to her failure in rounding Dondra head we have the *Forbes* at the latter end of September not merely rounding the Head, but, herself loaded to *the very utmost*, tugging an equally deep laden, bluff-bowed collier through the eight degree channel against high head Sea, and E. S. E. Current. But as no one has appeared who would contest Captain Wilson's opinion so no one has ventured to contest the practicability of steaming from Galle to Cape Guardafui at all seasons.

It has not yet been done, and therefore experience has not shewn that it can be; but neither has a Steamer even yet Steamed from the Bocca Tigris to Canton, yet no one doubts the practicability; and as to the probable obstacles of October and November gales in the Bay, this equally applies to Bombay, for the gales on the changes of the Monsoon, are equally to be apprehended there as here.

Touching your correspondent's remarks on that part of the Commitee's letter which refers to the 'Company' undertaking the transit from Alexandria to Suez I would observe that the Calcutta Commitee refer to both companies, viz. the East India Company and the Company to be formed, &c.; and that Major Head does not say the transit of the "mails," but merely the "transit;" and if the Company do not undertake the transit of the packages and parcels, which they do not state they will, then the separate agencies still entervene, and by your correspondents own admission the objection to such separate agencies "are put with much force and are unanswerable." If the Company do intend to undertake the transit of all packages and parcels, then there is no separate agency and consequently no objection on that score.

As to passengers being only secondary, there can be no doubt, if it were possible to put the question between letters only, and passengers only, that the former would stand first, and thus far passengers are secondary: but in providing for passengers you necessarily provide also for letters, and, therefore, I think passengers should be made a primary consideration. Again, it may be true that dispatch is not the principal object of a *majority* of the passengers who would go by the Red Sea, but it will certainly be so with a great many. Such, for instance, as have urgent business, and such as have not the means of viewing the Wanders of Egypt." If you provide the means of dispatch for these, you at the same time allow of the others remaining if they place.

Finally, I concur with your correspondent that the question is now one of idle discussion here, excepting in as far as it may shew the desire for the establishment of the communication to be unabated.

12*th January*, 1837. S.

[*Ind. Gaz. Jan.* 13

THE HINDU.

No. 2.—*(Continued.)*

Of all the pursuits which persons of different countries follow, for the acquisition of happiness, the performance of a successive number of *brotoes* (ceremonies) is always considered by the Hindu females as the surest way of accomplishing that object. To prolong the lives of their husbands,' sons, sons-in-law, and brothers, is the constant subject of their thoughts; and, however inconsiderable may be their proficiency in chirurgical affairs, they are never found backward to grapple with even those *mysteries of nature* which baffled the efforts of an Avicenna, a

Galen, or a Hippocrates. Convinced as they are of the efficiency of their *shastur* and *munters* in realizing whatever they wish, they think it a duty incumbent upon them to attend to the holy instructions of the brahmins; and, however delusive and unreasonable may be the vaticinations of those *infernal sybils*, they are always listened to with awe and veneration. In order to brighten their looks, enhance their charms, and enthral the hearts of their husbands, they worship once a day in the mouth of Bysac a brahmin and a brahmin woman. First of all they make these objects of their adoration sit on two pieces of wood known by the name of *peerahs*, and, washing their feet and cooling them with a fan, give them a few fruits and sweetmeats to eat. They sometimes beautify the feet of a brahmin woman only with a little quantity of pounded turmeric softened with water, comb her hair, adorn her head, with a spot of red lead, and give her a betel, from a conviction that they will never be widows. That their brothers may have *long lives*, they remain speechless every afternoon in this month, and never open their lips as long as the firmament is not studded with stars, and their evening prayers are not all over. In the month of *Joyest* all mothers and mothers-in-law bless their sons and sons-in-law, with some fruit and sweetmeats to prolong their lives. Those who are desirous of making their husbands immortal, celebrate also in this month, for fourteen successive years, a *brotoe* called *Sabetro Choto Dossee*. Every wife who performs this brotoe has, of course, to fast until it is solemnized, to mutter with her family brahmin *(poorokut)* a jargon of *munters*; to deck the neck of her lord with garlands of flowers; to present him sandal shoes, a *dootee*, and a *chadar*, and make him taste a variety of delicious eatables. The origin of this *brotoe* is founded upon the following story of *Mahabharut*. One evening in spring, when the setting sun was dancing over the tremulous waves of ocean, with his roseate company of clouds, and the sweet breathings of *molaah* (south wind), mingled with the nectarous songs of *kokeelas*, were heightening the enchantment of the vernal scenery of nature, *Savitra*, lovely and blooming as she was with youth and beauty, mounted a *ruth* accompanied by some damsels to take a drive in the air. After having amused [illegible] If with the sight of many curious objects chanced to come over a forest, where she saw a very handsome young man, of extremely attractive features, sitting near a tapering cottage. "Oh what a delightful creature is that!" cried she to the damsels. "His looks and comeliness bewitch my soul. Come what will, I am determined to marry him." Saying thus, she drove back her to *ruth* her father's palace, and shut herself up in a sequestered room. The Rajah, finding this sudden change in the humor of his daughter, became excessively grieved, and did not know what to do. Shortly after he learned the true cause of his daughter's gloominess, and as he was expressing his displeasure at her wishes to marry a poor cottager, the hoary *Nareda* made his appearance. The Rajah instantly sprang from his seat and falling prostrate before him, received him with thousands of salutations. In the course of conversation the Rajah introduced the subject of his daughter's marriage, when he was told that the young man with whom she had fallen in love would live only eighteen years, and that if she wished to marry him she must soon make herself a widow. Such a prognostication as this filled the mind of the Rajah with dismay and horror. He immediately had his daughter brought and acquainted her with this prophesy; but nothing could be of any avail to shake her resolution. She still persisted in requesting the Rajah to marry her to the cottager. She rose and stood disconsolate, her eyes streaming with tears—her heir dishevelled all over the head—her breast full of sighs—and her countenance pale with grief. She wept, she raved, and would speak of nothing but the cottager. When the Rajah found that he could not in any way prevail upon her to change her mind, he was obliged to solemnise her marriage with the young man of the forest. This restored *Savitra* to a tranquil state; her cheeks now began to glow with a rosy flush; the despondence which sat on her brows, no longer remained to disturb her serenity, and her wishes being all fulfilled, she hied to her husband *Suttavan* to diversify her time by rural amusements as well as by the pleasures of connubial felicity. She found that her husband had a father and a mother both blind and sinking into the infirmities of age. They were before, the Rajah and Ranee of an eastern country, whence they were driven away by a very powerful enemy of theirs, and being thus bereft of all kingly magnificence they thought it proper to live in that jungle. In the course of a few days they became so pleased with *Savitra* for her devoting herself to their service, that they felt proud of having her as their daughter-in-law; but as years were rolling away after years *Savitra* could not be at ease and began to revolve in her mind the prophecy of *Nareda*. The fatal day at last arrived. It was dusk:—*Suttavan* left his hut to bring some fire wood from an adjoining forest, and *Savitra*, who was aware of the calamity which was to befal her, could not refrain from following him though she was persuaded by all from doing so. Their way lay across a tangled bush, which, as soon as they walked over, they came in sight of some huge old trees. *Suttavan* climbed one of these and was instantly attacked with a dreadful headache. Being unable to endure this mortal attack, he fell senseless on the ground. He groaned, he gasped, and soon breathed his last. The mournful *Savitra*, bursting out into a flood of tears, pillowed his head on her lap. The night grew dark. The sky looked like a vast expanse of sublimity; the clouds came rattling against each other, and the flashes of lightning added awfulness to the scene. Two messengers of death appeared at a distance; but away they went again, being

not bold enough to approach her. The dreadful Jumna was at last seen, and while he was returning home with the soul of *Suttavan*, *Savitra* began to follow him. A long conversation here took place between them, and the god of death being struck with her virtues heaped upon her a number of benedictions, the principal of which was the making her husband alive again. Joy now thrilled the heart of *Savitra*,—*Suttavan* was again all life and animation! He imprinted, the cheeks of his wife thousands of kisses, and taking her by the hand, happily returned to his sylvan abode."

* * * *

The brahmins have concluded from this story, that the only way to make the life of a man immortal, is to let his wife worship *Savitra* in the manner described above; and the foolish and the credulous women of the Hindus, desirous of saving their husbands from the dreadful jaws of death, endeavour to observe this ceremony as rigidly as possible. They are also ambitious of being on the bosoms of their lords, and it is for such consummation as this that they fast, take fruits and rice without salt on the five *sree punchoomees* of five successive years. Besides what has been delineated above, they are taught to attend to the observance of other rites of an equally ludicrous nature, and, neglecting the entire cultivation of their moral and intellectual faculties, busy themselves with things which do not produce an *iota* of good. With reference to their food, they are extremely strict. Flesh of any sort is never a part of their meal. Wine of course is a detestable beverage to them. They only like water, *sherbut*, rice, fish, vegetables, fruits, and sweetmeats. When the rice is boiled it is a most impure thing, and is designated *sugree*. Should it chance to fall on any place it must be watered, and is sometimes purified with cow's dung. The eatables of the Hindu women, are always kept either on plates of brass or leaves of plantain trees, and they make their hands and teeth subservient to the uses of knives and forks.

When a Hindu female is in that interesting condition agreeable to ladies who love their lords, a great deal of additional folly is practised. In the fifth month of her pregnancy, her father and father-in-law send to each others' houses, and also to their respective relations a variety of sweetmeats, fruits, *sherbuts*, congealed milk *(kheer,)* and other delicious articles. Clothes of different kinds are given to her, and she is requested to eat whatever she pleases. In the beginning of the ninth month she beautifies her person with pounded turmeric and bathes. A lamp and a thick piece of stone *(nora)* are kept in a room covered with two baskets. Two or three of the family women take her to this room, and desire her to open any of these baskets. Should she be fortunate enough to open the basket covering the *nora*, they immediately cry out, "Oh she will have a son; but should she open the other basket, it would be a sure prognostication of her bringing forth a daughter. An entertainment then takes place, when numbers of ladies, both old and young, attend, and the blooming girl attired in a dazzling *saree* of Benares, and decked with a profusion of gold and gems is brought before them. The feast is generally held in *dalawas* or compounds where the invited women squat down on the ground in methodical rows, having leaves of plantain-trees before them full of all sorts of dainties, and deeply engage themselves in enjoying the pleasures of the *khanah*, doubtless coinciding with Quin, (of facetious memory) who wished that his throat was a mile long and every inch a palate. The girl in commemoration of whose state this feast takes place, sits in a conspicuous place with a veil all over her face, and there is nothing to be heard in this company but vociferation and clamour The Hindu women, I am sorry to say, do not possess much delicacy in their speech and fall *wretchedly* short of civility and good manners. The generality of them cherish no good feelings towards each other. Jealousy may be said to be one of their principal characteristics. It is, however, pleasing to find that some of them have now begun to learn their vernacular language; but, bad and poor as that dialect is, they cannot gain much instruction from it. If a few English works of imagination that inculcate good morals be at first translated for them, they will very likely rouse their curiosity and may tend to the edification of their minds. We hope, however, that the intelligent natives of this city of palaces will deem it a bounden duty to educate their females, and may that auspicous day soon dawn on this ill-fated country, when she may boast of her Edgeworths, her Hemanses, her Somervilles, and Martineaus.

Having made a few strictures on the first two species of women, we shall now conclude this sketch with an account of the third: the Hindoo widows. The Hindoo widows are extremely wretched in their condition. The moment they lose their husbands, they are prohibited to take fish or adorn their bodies with any ornaments. Their dress consists only of their white clothes—never bordered with any red or black trimmings. They fast once a fortnight in every eleventh day of the moon, and are not entitled to some of those privileges which women of other descriptions enjoy. Nothing can be more honorable to them than to burn themselves with the corpses of their husbands, and those that have done so have not only left indubitable proof of their *chastity*, but are spoken of even now-a-days in terms of enthusiastic eulogy. I am told that if women could not formerly get the dead bodies of their husbands in consequence of the localities of the place, they often burnt themselves with their sandals or shoes. The idea of going to the blessed regions of *boycant* where every breeze breathes tranquillity, and every tree sparkles in eternal bloom, overpowers all considerations of a worldly nature,

and when a woman has once passed her finger through the blaze of a taper, besmeared her forehead with patches of red lead, and taken a branch of a mangoe tree in her hand, there is nothing in the universe that willdissuade her from being burnt. *'Tis the divinity that stirs with in her. 'Tis Heaven itself that points out an hereafter.* But those who have not courage to perform this piece of magnanimity are at once curtailed of all *earthly enjoyments.* They are neither allowed to blacken their teeth with *meeee* (a sort of astringent black powder) nor put any spot of red lead on the interval where their hair is parted. They are sometimes instructed by the brahmins to live merely upon milk and fruits for five or seven months, to lie down upon course mats, to rub pounded cocoanut on their persons, and to be dressed in canvass that they may have salvation hereafter. They strongly believe in the doctrine of metampsychosis and in order to prevent their being widows in after lives worship a golden Seva and a Doorga, and a silver bull, in the month of Falgoon. They are deeply impressed with a conviction that this will lead to their eventual good, and are perfectly sure that though *their tears, like rain drops may now fall without measure, yet rapture and beauty they will by and bye recal.* They are also taught to subject themselves to as many hardships as they can as to what respects their mode of living, and always consider fasting as the very *marrow and pith ofvirtue.* Wonderful notions of wonderful beings! The Hindu women, it appears to me, wish to reach the goal of *happiness* only by *mantejs* and *brotoes.* What a profundity of judgment must they possess in pursuing this course! How *grand* are they in speculation! And who that is in the least conversant with their sayings and doings, will not exclaim, *that they* are *beings of an ethereal world endowed with an eye that*

Finds tongues in trees, books in the running brooks.
Sermons in stones and good in every thing.

No. 3.

I have now finished my observations concerning the domestic manners of the Hindu women of this place. The inference that remains to be drawn from what has been stated in the last two numbers of the *Hindu* must be that our females are exceedingly addicted to superstition; that their minds are not at all enlarged by a liberal education; that they aspire to do what can never be done; that their incessant attempts to be virtuous are in many instances misdirected on account of their folly, and that their tastes and ideas of beauty are unrefined and ludicrous. It is, however, a matter of great pleasure to find that they are *extremely devoted* to the welfare of their husbands, and possess some of those charming qualities which are peculiar to their sex. Their imagination, it appears to me, is generally in a vivid state, and flowing as their hearts do with the milk of human nature, they are liable to easily moved by pathetic sights. Of all the virtues they are ambitious of, the practice of chastity is their chiefest pride, and though they may be eager to resist the temptation of vice, yet there is not in them that fortitude or magnanimity which was once the prominent characteristic of a *Seta*, a *Drapadee*, or a *Damaunti*, The circumstances in which they are placed at present contribute to degrade them more and more, and as long as they are not blessed with the lights of knowledge, their understanding can neither be improved nor their moral feelings properly cultivated. Thus far then must be my humble tribute to the Hindu ladies of this metropolis. Let us now bid farewell to the phantasies of the *zannanah* and introduce the reader to other scenes and characters. Methinks we have revelled in a nectared feast of poetic amusement, and have spoken much of looks, cheekslips, and kissing. Hitherto we have exclaimed with the poet,

'That love, poetry, and music combine
In woman's *features* and *eyes* divine,

but to themes of a steiner mould our attention will now be directed, and the glowing description of feminine charms ought no longer to be allowed to satiate with sweetness.

If we carefully examine the present features of Hindu society, we shall find that it is in a very different state from what it was before. Fifty years ago there was but one sort of feeling and sentiment among the Hindus. The importance of performing all religious rites and the necessity of observing those customs which descended to them from time immemorial were equally appreciated by all of them. The enthusiasm with which they devoted themselves to the cause of idolatry and piety is unparalleled in the annals of our history, and though they could not excel many a missionary in fanaticism or zeal, yet credit must be given to them for having done much to strengthen the fortification of Hinduism. But that harmony in their conduct and that unanimity in their opinion are no longer to be seen a mighty change has taken place. The effulgence of *youth* has dawned on this land, and the long reign of error is tottering on the verge of destruction. The prejudices which had hitherto chained the minds of our countrymen have begun to wear off the sinews of orthodoxy have become relaxed—the bulwarks of superstition shaken to the very bottom and many of the Hindus, smitten with the beauties of philosophy and virtue, have renounced the absurdities adored by their forefathers, and embraced those principles which reflect honor upon them. Such a circumstance as this has contributed to divide the native community into three sects, viz. the liberals, the half-liberals, and the bigots, of whose manners, usages, notions, &c., I shall now successively give an account.

The liberal party consists of a small class of juvenile Hindus, almost all of whom have been educated either at the Hindu College or at Mr. Harp's school. When they first began to learn the English language, the system of education then pursued in those institutions

was in a great measure inefficient in properly developing their moral or intellectual energies, and the only improvement which they had made for some years in their studies was in acquiring the geographical position of different countries, cities, rivers, mountains, islands and peninsulas; in learning the particulars of some events relative to ancient and modern history, the respective rules of arithmetic, algebra, and drawing, and in being able to recite some pieces from Shakespeare, Pope, Milton, and Campbell. The teachers in whose charge they were, had sadly neglected the entire *cultivation of their hearts*, and consequently they were for some time not a bit better than their countrymen in point of morality. But when Mr. Derozio was appointed an assistant teacher at the Hindoo College, he introduced wonderful innovations into the former method of instruction. It was he that first awakened in the minds of his pupils a curiosity and a thirst for knowledge. It was he who thought it his principal duty to *refine their feelings*. It was he that roused them to *think for themselves*. It was he that gave them *solid* instruction in the shape of entertainment, and it was he that enraptured them with *sublimest* precepts. To this high-minded gentleman, (now peace to his shade!) the educated Hindoos are all indebted. Their liberty of thought, their liberty of expression, and their liberty of action they have all derived from him. Mr. Derozio may be properly said to have dissipated their bigotted ideas with the rod of an enchanter—to have given them the very first stimulus to their scientific enquiries, to have taught them the correct rules of philosophizing on all subjects, to have exhorted them to inflict a death-blow on the impositions of the Bramins, and to have shown them the path to *truth and virtue*. While he lived, the bigots trembled with fear; their religion was fast decaying; apostates increasing; and the rage of persecution growing virulent every day. Since his valuable lectures have been made known to all, many a young man has enlisted himself under the standard of the liberal party, and as the opinions and principles of this sect are spreading far and wide, fresh accessions are coming to their number from every quarter. The liberals have the good of their country at heart, and always cherish friendly feelings towards their countrymen. The virtues which they practise are really of an exalted nature. There is nothing in the world which they hate more than falsehood—hypocrisy and double dealing. That the world is full of dishonesty is a *deplorable* subject to them. In dealings of all sorts they are exceedingly fair. They are great lovers of flat truths and straight forward conduct.

The respect which they have for *men* is inproportion to the *respect* which they have for *truth*, and unless an individual, be he an European, an East Indain, a Mahomettan, or a Hindoo, unites to his talent a *regard for character*, they will think it beneath their dignity to cultivate any acquaintance with him. To many of the Europeans they would most candidly yield in profundity of erudition, but certainly to non in an *adherence to uprightness*. The principles which they have imbibed, are all based upon the excellent doctrines of morality. Notions of English honor and independence have been infused into their minds. Sycophancy and adulation they detest, and would consider it the *greatest degradation imaginable* to flatter a man, however great he may be. Their manners do not possess the least tincture of servility—"a breath of submission they breathe not, and the spirit with which they are imbued to signalize themselves by honest industry, a constant attention to the interests of their country, a due deference to the opinions of their inferiors, and by cool deliberation in all the circumstances of their lives, speaks highly of their disposition, highly of their understanding, and highly of the *alma mater*, where they have received their education. The aristocracy of the civilians, the professions of the Calcutta people, and the corruption of men in many of the public offices, are the themes of their constant conversation. The man who does more in action than in speech *merits their veneration*, but he that talks a great deal about *reformation, patriotism, philanthrophy, freedom, enlightenment, civilization*, and a catalogue of those lofty, pompous, and studied expressions which often resound amidst claps, cheers, and shouts in the spacious lower story of the Town Hall', is considered either a knave or a fool. In matters of politics they are all radicals, and are followers of Benthamitic principles. The very word Tory is a sort of ignominy among them. Reformation they say ought to be effected in every age and country, and as to what respects the state of India, her condition ought surely to be reformed. The judicial and the revenue systems that are pursued in the Mofussil are very defective and have been productive of serious evil. The continuance of the Persian language is calculated to promote venality and corruption—the union of two offices, that of a collector and of a magistrate, in the same person, can seldom be conducive to salutary consequences, and the mode in which the situations of moonsiffs, sudder ameens, and principal sudder ameens are disposed of by the judges and the commissioners, has at once frustrated the object of that excellent fifth regulation of Lord William Bentinck of 1831; the system of darogahship has little insured any security of property and lives in the interior, and, considering these and other circumstances connected with the Mofussil, they think that this country is labouring under a number of political evils which cry for a speedy removal. With the administration of Lord William Bentinck and Sir Charles Metcalfe they are very much satisfied, and when they reflect on those glorious acts of theirs—the prevention of the burning of suttees, the elevation of native characters, the dispensing with the invidious distinction of cast, creed, or color, the emancipation of the press, the abolition of transit duties, and the establishment of the Medical College, they *really feel* an inexpressible delight, and

cannot but be sanguine in their anticipations that the harrowing aspect of India will soon melt away, and a scene of beauty and magnificence brighten her face. They think that toleration ought to be practised by every government, and the best and surest way of making the people abandon their barbarous customs and rites is by diffusing education among them. With respect to the questions relative to Political Economy, they all belong to the school of Adam Smith. They are clearly ofopinion that the system of monopoly, the restraints upon trade and the international laws of many countries do nothing but paralize the efforts of industry, impede the progress of agriculture and manufacture, and prevent commerce from flowing in its natural course.

The science of mind is also their favourite study. The philosophy of Dr. Reid, Dugald Stewart, and Thomas Brown being perfectly of a *Buconian nature*, comes home to "their business and bosom" The frivolous discussions which abound in the works of many ancient as well as modern writers have, they say, tended to produce more harm than good.

They had a literary club known by the Academic Association. It is held every Saturday night at Mr. Hare's school, where they discuss all sorts of moral, metaphysical, historical, and political questions. Mr. Hare is the President of this Society, and is deeply interested in its prosperity and aggrandizement. Mr. Hare, it must be stated here, is the great benefactor of the Hindoos, and has devoted his life and his fortune to their improvement and welfare.

He is a man of unbounded benevolence. His whole business in the world is, to roam from school to school, superintending the education of the pupils, and watching with the greatest degree of attention their daily progress under different teachers. His palanqueen is a regular dispensary of a doctor, and whenever any boy is taken ill, he is sure to be anxious to restore him to health. If any student be confined to bed at home, and notice thereof be given to him, he would go there and do all that lies in his power to restore him to health. Such acts as these certainly proceed from the purest motives of philanthropy. The educated Hindoos, impressed with grateful feelings towards this *Indian Howard*, have got a portrait of him done by a subscription from among themselves, and have placed it in a conspicuous part of the Hindoo College Hall. But a portrait, a bust, or a statue, however gorgeously executed, can be expressive of a faint, a very faint token of the good that he has done. The noble actions which he has performed (not for fame or fashion, but for their *intrinsic worth*) have crowned his brows with an unfading halo of glory, and the name which he will leave behind will be *dear as a jewel* to every soul in India, and must flourish in immortal youth amidst the wreck of matter and the crush of elements!—*Englishman*.

RUINS OF BASSEIN.

Here lies the body of Gabriel John,
Who died in the year 1601.
O! pray for the soul of Gabriel John!
But if you don't like it, why let it alone,
For it's all the same to Gabriel John

W

Having lately visited Bassein, the ruins of which we found of greater extent, and altogether of a character superior to what we were led to expect, we were solicited by our friends to publish a condensed description of them, which we had drawn up. Mrs. Heber says, alluding to Bassein, "I do not think the ruins themselves repaid us for the trouble we had taken to see them;" but she particularly notices a pagoda in the fort, with "the sacred bull well carved at its entrance, &c." So far from finding any thing to admire about the pagoda, or the miserable chunam bull at its entrance, we would willingly have lent our aid to demolish both, for insulting as they do, by their paltry appearance, the fine ruins that exist on either side of them. Unfortunately for travellers, generally, there are no guides to point out the principal ruins, and thus only the most inferior are generally seen; it was only after considerable search and penetrating the jungle which has sprung up within the fort that we found what was best worth seeing. We recommend to all travellers to follow the track which leads through the fort till they arrive at the said pagoda on the right, when, having admired *the well carved bull*, to strike into the jungle in an easterly direction, when they will almost immediately come in sight of the finest ruin in the fort. The others may be examined afterwards.

BASSEIN.

The fort of Bassein is without a moat, though we believe in other respects it is constructed on what were considered at the time of its erection the strictest principles of fortification. The entrance on the sea-side fronts the steep landing place, and is about 100 yards distant from it; the gateway is concealed from view by a massive buttress projecting outwards, which entirely hides it.

Although prepared to view a ruined fort, yet the scene of desolation which presented itself on entering the gateway was infinitely greater than we could have imagined from the external appearance. The outward gate is of the most ponderous description possible, and called to our minds the fabled portals of enchanted castles: it is about 28 feet high and 14 feet broad, completely ribbed with iron of half an inch in thickness, studded with iron knobs of the size of a pound shot, the gate indeed seems to be an enormous mass of iron, for the ribs form one solid plate, without an interval between them.

On passing the gates, instead of finding, as one would naturally expect, some emblem of the religion of the founders of the fort and town, we were not a little surprised to see on

our left in a shed, Hanuman in his usual gorgeous panoply of red paint and oil; he appearing to be the presiding deity over the place which was once one of the principal seats of the Romish Church in the Portuguese possessions on the western side of India. A Brahmin now usurps the place where once sounded the tinkling bell which summoned the priests to matins and vespers; and the hooting owl and rustling bat are now the sole tenants of those places where was heard the peeling anthem's solemn praise. Amidst the ruins the spirit-like moaning of the evening breeze sweeping through the broken aisles and shattered corridores, seemed to the imagination to be the mournful hum of departed spirits assembled to lament over the destruction of those monuments of their earthly greatness, which, doubtless, they vainly hoped would last for ages. The sweetly placed moon, just then in her full, silvered the distant tops of the ruined towers and buttresses, and gave to the scene a most enchanting, though melancholy, appearance. We may remark that even interior ruins situated amongst masses of foliage as these are, may have an appearance of beauty by moonlight, which superior ones in more unfavorable situations may not possess. This, however, does not apply to these ruins.

We had the curiosity to take the dimensions of one of the 7 churches in the fort; the extreme length was from the main entrance to the foot of the altar, 58 paces, breadth of transept 32 and breadth of both aisles 50, height of the tower nearly 150 feet, composed of walls 8 feet in thickness, and of the usual architecture common to the 17th century. The altar even, judging from the present appearance of the carved and fretted roof and noble expanse of arch, must have been on a scale of grandeur equal to any edifice of the kind erected by the Portuguese during their short-lived rule of splendour in India. It is a curious question, for speculation, that when the power of the British shall have passed away, and be only a name, (for pass away it must, and we fear very shortly,) how many monuments of its power and transcendant greatness will remain? We think that when the last stone erected by the rulers of the present day shall have sunk beneath the mould, even then the ruined towers and massive fragments of Bassein will still tell their tale of the greatness of the Portuguese.

The peepul tree has given these ruins a picturesque appearance beyond any thing of the kind we ever witnessed; it overshadows them, and casts a gloom on them even in mid-day, whilst the roots, like huge masses of cordage, have insinuated themselves in the interstices of the walls; in some places forcing them down, and in others they have equally supported them by entwining themselves round the loose stone. We have a piece of the root 50 feet long, and very little thicker than one's thumb.

On the eastern side of the altar of the church, already spoken of, we discovered, inserted in a niche of the wall, a stone receptacle with an arched semi-circular top which had been broken open, probably in the hope of obtaining treasure. In it we found the bones of the former occupant, together with the inner coffin. The body must have been interred in a situation now quite unusual, as the coffin appears to have been too short for a lying posture; it must have been placed on its back with the knees drawn up, and as we found a crozier carved on the lid, and from its situation in the church, (near the high altar) its occupant must have been a high dignitary of the church. We also found several graves which had evidently been opened in search of treasure.

In our rambles through the ruins we found the tomb of an English lady close to the wall of a ruined house; her name was Mrs. Jane Durham, wife of a Mr. Durham, Surgeon, who died 18th August 1782, aged 38 years; but of how she died, or who placed her remains in that desolate spot, there remains no record. This tomb was particularly interesting from its situation amidst the surrounding scene of desolation. We saw also a number of the graves of the ancient Portuguese dignitaries. An inscription on one of the tomb-stones was deciphered by an antiquary of the party, and is placed at the head of this paper; but as our friend is a wag, we are inclined to doubt the correctness of the translation.

We had the curiosity to walk round the walls, and which occupied us 1¼ hour in traversing, as the path in some places, owing to the accumulation of vegetation, is nearly impassable. We discovered several heaps of what would be considered curiosities in modern warfare, viz. stone cannon balls for various calibres, and as perfect as if they yesterday had left the hands of the mason.

The appearance of the country adjacent offers a strange contrast to the sterility surrounding Bombay, for here interminable fields of sugarcane and corn wave in the breeze almost like the lovely fields of our native clime.

There are large tanks, about 6 miles from the fort, at a place called Neermull, abounding with all descriptions of water-fowl. A sportsman may with very little difficulty fill a *bag*. We would, however, recommend all persons who may feel inclined to extend their excursions beyond the walls of the fort, to send horses to Bassein, as the roads are impassable for any carriage, other than a hackery. The journey back through the narrows is exceedingly beautiful, and the amateur artist might find many a beautiful sketch for the portfolio. The romantic appearance of Ghorabunder led us to believe the place was worth seeing, but we were not repaid for the trouble of landing. The town or village consists of a collection of old houses and huts. We cannot admire the taste of those who pitch their tents there, when by proceeding a few miles further, they might encamp on the romantic ramparts of Bassein.

We are aware that this is a disjointed and very imperfect description of Bassein; but such as it is, we trust that it will be useful to the traveller, and supply the place of guides, which, as already observed, are not to be found.—*Bombay Gazette, April* 12.

REASONS FOR THE PROPOSED BANK OF INDIA.

To the Editor of the Calcutta Courier.

SIR, In your article of Tuesday, relative to the Bank, you say that had you known Mr. Macculloch to have been the author of the pamphlet in defence of the Bank, you should have looked into it a little deeper. There is unquestionably much in a name. The brochure itself is the most miserable tissue of absurdities, fallacies, inconsistencies and crudities that ever went forth, and but for the name that has been mentioned with it, is utterly unworthy of serious confutation.

If you will spare me the room, I will extract some of its beauties, and place in juxtaposition a running comment that will, I think, show how a really clever and generally well informed man, as Mr. Macculloch is, loses himself when he attempts "to make the worse appear the better reason," and enlists himself as a partizan in a bad cause without the information that would enable him to avoid betraying gross ignorance of the subject *at every page.*

Folios 1 to 11 are occupied by a pretty prefatory discourse on Banks, and by the Plan of the Bank now under examination.

Neither of these is new: the latter has been already thoroughly exposed, and it is not for me thrice to slay.

Fo 12. "But it "would be as absurd "to suppose that two Banks established in London, without a single Branch, assisted by a small Government establishment at Dublin and a small private Bank at Liverpool, should be adequate to transact the Banking business of the United Kingdom, as that the two Banks referred to, should suffice to transact the Banking business of the Indian Empire, extending as it does, over 1,300,000 square miles and comprising a population of about 130 millions!"

The Banking wants of London, Dublin and Liverpool cannot be compared with those of Calcutta, Agra and Madras. And as for square miles and souls, I would wish to ask Mr. McC. to give a rough guess as to the proportion of those square miles, that consist of dense jungle, waste lands, and of the poor creatures who make up that vast population that do not see a clean shirt—beg pardon, *dhooty*, or a silver coin of the lowest denomination, once in a year!

The Bank's capital would give £1 to every 26 individuals, a grand thing to excite enterprise, &c. &c. &c.

Fo. 13. "But, instead of employing "these deposits as "Bankers in England would do, or as the proposed Bank of India would have done had it then existed, in the discount of approved bills at short dates," &c. &c.

Whose Bills could the houses have got but their own? and whose bills are likely to be found by the Bank but those of parties in the identical shoes of the houses engaged in trading, or planters?

Fo 15. "The Bank of Bengal and the Union Bank were both established long since; and as they, even when assisted by the establishments that have failed, were notoriously incompetent to the proper transacting of the banking affairs of India, they must be infinitely more so at present, after so much havoc has been made amongst the old Agency Houses."

See and compare the dividends declared by both establishments before and after the "*assistance*" of the large houses was enjoyed, or, as I should say, *suffered*..

If the system of the houses was as bad as the author makes it out, the more "havoc" the better for the two Banks that out-lived it.

Fo. 16. "The Servants of Government and every one else would then have a place of secure and profitable investment for their savings."

What! more secure and profitable than the Hon'ble Co's. loans at 4, 5 and 6 per cent?

Idem—"Had such an Institution been in existence in India a few years ago, what an amount of bitter disappointment and of positive suffering would it have averted. And where is the security, provided some such establishment as that now proposed be not founded, that the disasters we have so lately witnessed will not recur?"

Indigo would have been made, or *tried* to be made, with the Bank's cash instead of with that of A. B. and C.

We have still got the "British College of Health," and Doctor Gardiner with his sovereign remedies for all disorders, should Providence deny us the Bank of India.

Idem—* * "the accumulations of the savings of the company's Servants."

It was not always "money *in* both pockets" with them.

Idem—* "exciting a spirit of industry, and a love of accumulation throughout India."

Who are already more industrious and more saving than the Natives in their own way?

Fo. 17. "Hence the practice of hoarding, and of burying the precious metals in the earth, has always prevailed to a great extent in the East. * * has become congenial to the Natives. * * The Bank would counteract this abusive habit" * * (19) "it is all but certain that in no long time, it would bring forth and vivify millions of capital that now lie dormant in the earth, or in secret hiding place, &c. &c."

This practice must have been very quietly indulged in!

Idem. — "Scotch Banks have embued all classes with a spirit of enterprise and economy."

An *India Mining Company* after all! by jingo!

How could the Bank do so when its grand object is to "diffuse *British* Capital," not to dig for *Indian?*—not to "call it from the vasty deep."

Enterprise is one thing and economy is another: that which would excite enterprise would certainly not encourage economy. Be that as it may, all the Scotch Banks in the world and the Bank of India besides, would no more make Hindoostanees enterprising than it would make them white.

Fo. 20. "The vast additional capital that would be thus created and brought into (! *out of*) the field, would be distributed by the Bank in the most advantageous manner to those engaged in the various departments of industry. In India, most—perhaps we should say *all*, classes of producers are short of capital; those concerned in the raising of Indigo, Silk, Sugar, Cotton, &c., all require advances to enable them to prosecute their business. Formerly these advances were made by Merchants; and when their speculations failed, those who had deposited their money in their hands, lost their all. But when a Banking Company with large capital, and properly conducted, comes into the field, this will no longer be the case, &c. &c."

How these advances are to be "advantageous" to the Bank, after being shown to have been fatal and ruinous to the houses, is beyond poor Pill Garlick!

All this really amounts to no more than that the Bank, having a vast capital, can afford to lose a part by advances to producers *without* going into the Insolvent Court.

Fo. 22. "At present the revenue collected in the most distant provinces has to be sent down in specie to Calcutta, where, after having been locked up for a while in the Company's Treasury, it again finds its way into circulation: the identical sums brought from a distance of a thousand miles or more being probably paid to Merchants or Agents at Calcutta, by whom they are transmitted on loan to planters and others in the vicinity of the places whence they were originally brought. The establishment of the Bank of India will go far to put an end to this sort of national child's play, &c."

These specie remittances back to the Mofussil must have been smuggled very slyly and adroitly, for I never heard of one.

But I *have* heard of drafts sold by the Accountant-General on the different Collectors, which the author does *not* seem to have heard of.

Fo. 23. "They ask no favor from the Government, either in the circulation or receipt of their notes."

The Bank of India and the College of Health will doubtless cure many evils and diseases that ever had existence.

Government may consider what it asks for, a "favour," however.

Idem. "Suppose that a merchant in Calcutta finds that he can make an advantageous purchase of a quantity of opium, *silk*, indigo, or other article at Dehli, how will he proceed?"

Suppose his Agent were to sell a bill on him? or, suppose he were to buy a Hoondee or a Treasury Order on Dehli?

Fo. 26. "But the Bank having large deposits and a large capital to employ, will be liberal of its advances to individuals of intelligence and industry employed in the cotton culture, the indigo culture, the *silk* culture and so forth, and to the merchants by whom such persons may be supported."

"Liberality" is a handsome word, but it will not swell dividends or meet losses by bad debts.

See folios 13-14 for the *proper* kind of investments for "deposits."

Fo. 28. "The improvement of the

culture of silk, pepper, rice and so forth."

Something new under the sun!

Idem. "Various "Joint Stock Companies have in fact been already projected for the purpose of undertaking the culture of sugar, silk, &c. but, if not abandoned, they have at least been deferred because of the want, in most parts of India, of any secure place of deposit for their capital till it could be brought into employment."

Such Companies will visit us, if they visit us at all, to lay out money, not to deposit it in Banks,—the, will be the last to require a Bank.

The Bank is calculated obviously to prevent such Companies starting.

Fo. 30 "Native de- "positors."

Query—How many accounts have been as yet opened at the Bengal or Union Banks by Natives?

Fo 30. "Besides "conducing in so many ways to the improvement of India and to the increase of the trade between it and England, the proposed Bank will certainly yield a handsome profit to the proprietary."

Though last not least the "handsome profits!" This is the true sort of scheme for a Public with a 20 per cent. power appetite for Joint-Stock Companies.

* * "the high rate "of Dividend that has been paid by the Bank of Bengal and Union Bank."

Fo. 31. "It must "feel its way" "Security paramount." * * "gradually and cautiously." * * "profitably and safely, &c. &c."

Jingle—clap-trap—*ad captandum.*

Fo. 32. "And it is, "besides, pretty certain, that should the success of the projected Bank correspond with what seems to be the reasonable and well founded expectations of its projectors, it will bring other institutions into the field, and that it will thus insure for India every advantage that can be derived from the greatest extension of a safe Banking system."

Now, this is of all others just the effect that we should *not* have looked for!

The Bank of India bubble *bursting*, *might* have that effect, but its thrusting its huge Leviathan carcase into the gap cannot by possibility do so.

Fo. 33. "The Di- "rectors abjure all pretensions to monopoly and favoritism."

Fo. 34-35. "But in "point of fact, the Bank will be managed by the Directors resident on the spot or in Calcutta, the proceedings of the Indian Board being however liable to be controlled and directed by the London Board: and does any one suppose that this control will not be of the greatest service? The Indian Directors, exposed to local influences, personal solicitations, &c. &c." * * Instead, therefore, of the double direction being a disadvantage, it is plainly an important circumstance in recommendation of the Bank, and gives it an additional claim to the public confidence."

Fo 35-36. "But it "is chiefly, we apprehend, because of its anticipated interference with the remittance of funds from and to India, that so much opposition is made to the Bank." Idem. * * "But the "more the individuals in question might find their interests compromised by the establishment of the Bank of India, the more is it entitled to a Charter, because the more advantageous must it be to the public."

In the letter to the Chancellor of the Exchequer, "*the incorporation and amalgamation*" of the Bengal Banks slips out. The cloven foot!

What would the author be after? He puffs off a local direction which is nevertheless *to be* "*directed*" by the London Board!!! The local direction, moreover, by Section IV. of the plan (p. 9) in the first instance "being appointed by the Directors in London, and subject to their control."

If absentee-ism, or, as the author terms it, "*double direction*," be so very diserable, why do not English Bank proprietors appoint a *Calcutta Board* to control and direct the proceedings in London!

Did the Bank anticipate no opposition from parties whose trade it was avowedly understood to knock on the head?

Fo. 37. "It is hoped "that this short statement, imperfect as it

Pro bono publico!—To what particular class of the community does the Bank look for countenance and custom after an open declaration of war against merchants and dealers in Exchanges?

If the greatest good of the greatest number be the principle of action with the Bank, it must do its utmost to lower the interest of money also, and to carry out the *maxima felicitas* to the fullest extent, it should lend for nothing.

It must suffice to make the public "take

necessarily is, may suffice to make the public aware of the nature and objects of the proposed Bank."**

Idem. "If we have not succeeded in this, the blame must be ascribed to our incompetency,—to the task we have imposed on ourselves, and not to any defect or hollowness in the project we have endeavoured to illustrate and defend."

care of their pockets"——

And if I have over looked numerous other blunders and contradictions, I hope my readers will ascribe it to my own thickheadedness and carelessness, and not to any soundness or solidity in the project I have endeavoured to expose and explode.

In conclusion, I may add, that had the ingenious author of these "Reasons", and the friends of the new Bank generally, been a little more modest in their pretensions, and contented themselves with describing an institution, not quite *omnipotent* in its operations and effects, not absolutely as a Morisonian Panacea, the whole community would have welcomed their advent. There *is* unquestionably a fine field for a good, substantial, well organised establishment applying European Capital to local wants. *Such* a Bank would be a blessing.

I am, Sir, your obedient servant,

DANIEL HARDCASTLE, *Junior.*

1*st March*, 1837.

A correspondent, under the signature of DANIEL HARDCASTLE JUNIOR, has shewn cause against Macculloch's "Reasons for the Bank of India," and we do think the political economist has laid himself very much open to attack, and Mr. Hardcastle has been keen enough to discover his weak points, and has punished him well for his presumption in making himself the champion of the new Bank. In England the name of Macculloch is a passport for opinions on such subjects, which otherwise might be canvassed and refuted. Notwithstanding the open opposition of some leading firms in London, and "the well known fact" asserted by an India Merchant, "that many who have signed this document (the prospectus) are opposed to the scheme, but, considering its formation inevitable, hope, by taking a share in the direction, to prevent the mischief it is pregnant with," all the London papers we have seen support the scheme, more especially the *Spectator* and the *Morning Chronicle*. The latter, after filling a column and a half with extracts from Macculloch's pamphlet, winds up with the following remarks:

"Besides setting forth the reasons for the establishment of the new bank, the author of the pamphlet has replied to some of the objections that either have been or that may be made against it. But, though others are put forth in order to make a diversion, there is but one objection to it of the least weight, and that is, that it will interfere with the interests of the existing houses engaged in the trade with India! But the time is gone by when an objection of this sort has much chance of being listened to. It is of a piece with the objections to the opening of new roads or the building of new bridges. The Bank of India is not to carry on commercial undertakings, and it cannot interfere in any manner of way with the private parties engaged in the India trade, unless it remit money from and to India on better terms for the public, taking all things into account, than they do; and if it do this it will confer a very great boon on India and England. The more, therefore, that the India houses cry out against the proposed bank, and the greater the dislike they evince to it, the more is it entitled to the public favour and patronage. The parties in question would not say a word against it unless they had good reasons for their hostility; that is, unless they had good grounds for anticipating that it would reduce their profits, by opening a cheaper as well as a safer channel for the transmission of funds from India to England and conversely."

We have little doubt that the principal cause of the jealousy of the London Houses is correctly stated above, and are of opinion with Macculloch and the *Morning Chronicle*, that the interests of the Merchants and of the public are so far at variance.—*Calcutta Cour. March* 3.

SUPPLEMENT TO THE BLACK ACT.

FORT WILLIAM. LEGISLATIVE DEPARTMENT.

13TH MARCH, 1837.

The following Draft of a proposed Act was read in Council for the first time on the 13th of March, 1837.

ACT No.—— OF 1837.

I. It is hereby enacted, in modification of Section XVIII. Regulation V. 1831, of the Bengal Code, that from the day of no Zillah or City Judge within the Territories subject to the Presidency of Fort William in Bengal, shall be precluded, by reason of the amount or value of the property for the recovery of which a Suit is instituted, from referring that Suit to any Principal Sudder Ameen.

II. And it is hereby enacted, that if any Suit which, according to the rules now in force, would be Appealable to the King in Council, shall under the Authority of this Act, be referred to a Principal Sudder Ameen, the Appeal from the decision of such Principal Sudder Amaen shall be direct to the Court of Sudder Dewanny Adawlat, and shall be conducted in all respects according to the same rules as if it were an Appeal from the decision

of a Zillah Judge to the said Court of Sudder Dewanny Adawlut.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 23th day of April next.

We earnestly entreat public attention to the draft of a proposed Act, which was read in Council for the first time on the 13th Inst., and published in our paper of the 20th. It is brief enough, and we will here reprint the first section.

"It is hereby enacted, in modification of Section 18 Regulation V. of 1831, of the Bengal Code, that from the day of no zillah or city judge within the territories subject to the presidency of Fort William in Bengal, *shall be precluded, by reason of the amount or value of the property for the recovery of which a suit is instituted, from referring that suit to any principal Sudder Ameen.*"

This is indeed consummating the work of the *Black Act*, and is the best vindication of those (if any had been needed) who so strenuously opposed the principles upon which that Act was framed.

Regulation X. of 1831, called into existance a new class of judicial officers, chosen from the natives of the country, and remunerated by a monthly stipend of Rs. 500, to whom was given original jurisdiction in all suits in which the value, whether real or nominal, of the property in dispute, should not exceed 5,000 rupees; but from the jurisdiction of these Principal Sudder Ameens, were expressly excepted all suits "in which an European British subject, or an European foreigner, or an American," should "be a party" The wording of this exception clearly proves, that it was not inserted on the mere ground of want of legislative power to render British subjects amenable to the native judges, for that impediment did not present itself in the instance either of European foreigners or of Americans; even if it existed with reference to British subjects, which might be doubtful. The exception was made, because an acquaintance with the native character convinced the Government of 1831, that justice would not be impartially administered in such cases—that the Sudder Ameen would generally be unduly biassed either for or against the European or American—and that in suits, to which such persons should be parties, there would frequently arise questions on which the native functionaries must be altogether incompetent to decide. When this regulation was passed, we at once recognized the truth and justice of the principles on which it was founded, and although we could not look forward to its practical working without many misgivings and apprehensions, yet we hoped for the best, and gave to its framers our humble tribute of praise. Five years have since elapsed, and what has been the result of the experiment? We will not say a total failure, but surely such a scanty measure of success, as might well teach our Governors how much remains to be done before any extensive powers can be safely entrusted to native authorities. The columns of the official Gazette afford a melancholy record of native Judges convicted, by the Criminal Courts, of bribery and corruption; and if we were to swell the list by the names of those who have been dismissed from office, although there was not sufficiently distinct evidence to warrant a criminal prosecution, and by the still greater number generally believed in their districts to be accessible to corrupt influence, the convicted and suspected would, we fear, form a large majority of the whole. That the native suitors themselves have always viewed these Courts with the utmost possible distrust, is a truth which will not be denied by any one whose opportunities of observation have enabled him to form a judgment on the subject It is notorious that, when they believe their cases to be fair and honest, they will gladly submit to the delay and inconvenience they may experience in the Courts of the European judges, rather than have their suits made over for decision to their own countrymen; and that any proposal to increase the powers of these last named functionaries, will spread dismay throughout the country. And yet, with these facts staring them in the face, our legislators quietly sit down, and enact that the jurisdiction of the Principal Sudder Ameens shall be extended to *all cases*, whatever may be the amount of property at stake! Had they really wished to frame a law for the more effectual promotion and encouragement of bribery and corruption, human ingenuity could scarcely have devised any means better calculated to serve such an end. Here are men paid less than one-half of what is given to a Commissioner of the Petty Court, whose jurisdiction is limited to cases of four hundred rupees, and they are to determine suits in which lakhs, nay, crores of rupees, may be involved. They have shewn themselves unable to resist the temptation of the small bribes offered them in cases of trifling amount; and where, in Heaven's name, is to be the limit to corruption, when the whole property of the country is placed at their mercy?

But it is not the natives alone who will be affected by this most mischievous law; its pernicious effects will, under the *Black Act*, be equally felt by all of our own countrymen who reside, or may have dealings, in the Mofussil. We will not now repeat the protests so often made in our columns, against the injustice, impolicy, and absurdity of calling upon native judges to decide cases involving questions of English law and English usage; but, perhaps, a simple fact may have wieght with those upon whom argument is expended in vain. We will not put the hypothesis of a case

occur; we will state two cases that *have occurred*; one of them is now actually pending in a Zillah Court, and the other will probably be on the file before long. In the first of these instances, the question is simply, whether a certain legal liability was or was not incurred by an English gentleman, under an agreement entered into by him with the assignees of Palmer and Co. and drawn up by the attornies in this city. This case will be referred to the Principal Sudder Ameen, who will be obliged to construe, and decide upon the meaning of an English deed, written in a language (to say nothing of the law of which he does not understand one word, and for the technical terms of which his own tongue affords no equivalent expressions!! The second case is a claim by a mercantile firm against an East Indian gentleman residing in the interior,—it is for the balance of an account current, extending over a period of many years, involving questions as to the custom of merchants both in England and Calcutta, the law of principal and agent, and the propriety of certain sales made in England. This case also will, or at least, under the proposed Act, may be referred for decision to an ignorant Bengallee Sudder Ameen, and yet upwards of a lakh of rupees is at stake!! We leave these facts to speak for themselves, without note or comment from us.

But, our readers will say, though this may all be very bad, yet still there is an appeal to the Sudder Dewanny, and *there* at least justice may reasonably be expected. Exactly so —we have always allowed that the only alleviation to the mischiefs of the Black Act, was the appeal to the Sudder. The judges of that Court may not be skilled in a law they have never had occasion to study, but they are picked men, selected carefully and impartially, it is to be hoped, from the whole service, of undoubted integrity and experience, and some of them gifted with high talents. There is some security in an appeal to them—THAT SECURITY AND THAT APPEAL ARE TAKEN AWAY BY THE PROPOSED ACT. For the benefit of the uninitiated, we will explain this. The Regulations allow in all cases one *regular* appeal —that is, an appeal upon the merits. If a case be decided in the first instance by the Zillah Judge, there is a regular appeal to the Sudder Dewanny; but if the original decision be passed by the Principal Sudder Ameen (as it may be in all cases, under the proposed Act) the regular appeal is to the Zillah Judge from whom there is only a *special* appeal to the Sudder Dewanny, that is, the appellant must shew that, *admitting all the facts and merits of the case to be as they are found by the Zillah Judge*, his decision upon those facts is at variance with some law, or regulation, or established judicial precedent. To shew the real nature of this *special* appeal to the Sudder we give an extract from an official letter of that Court to the Calcutta Court of appeal dated 1st May 1816. "Upon the first question proposed, viz., whether a special appeal may be admitted to reverse an error in the determination of facts, *when the judgment may appear to be manifestly without, or contrary to, evidence*, the the Court are of opinion that *a special appeal cannot be admitted on such grounds.*" The Sudder were no doubt right in this construction of the Regulations; there must be error apparent on the face of the record, (and the most awkward of judges can avoid this) or, fellow countrymen, you have no appeal to the Sudder, under the new Act, though your whole property be at stake? We pray pardon—if the suit be for more than £5,000 sterling, the Zillah Judge is to be jumped over, and the appeal is to be *direct* to the Sudder. We humbly thank our rulers; they have still some respect for Acts of Parliament. They have not *yet* ventured to take away the appeal to the King in Council. But in all suits for less than sicca rupees 43,103 (the amount limited for an appeal to England) *the decision of the Zillah Judges is to be final as to the merits.* Be it ever such arrant nonsense—be it ever so manifestly without, or contrary to, evidence, the Sudder Dewanny will have now no power to touch it!!

In conclusion, we entreat our fellow subjects of all clases to unite in petitioning and protesting against this proposed law. If it pass, it is no idle declamation to say, that all security for property will be gone. To the Government itself we would address one word at parting. We do not ask you to consult English Lawyers. We know you say they "thirst for jurisdiction." We do not ask you to consult British residents in the Mofussil. We know you think they have an interest in perpetuating a state of things "which, as long as they have the prudence to confine themselves to felony, they may commit any crime with impunity." But we *do* ask you to consult your own oldest and best servants—your own Sudder Court and your own Sudder Board. There have been many changes of late among these high functionaries, and we know not the opinions of those recently appointed; but the seniors, the most experienced, are, we believe, to a man against you. If you doubt this, if you do not know it already, ask them. Pause, we beseech you, in your reckless career; relinquish your blind love for theory, and your insane ambition to make laws for *universal man*; crush this new Act in the bud; and let your statute book be something better than a mere record of the extravagancies and absurdities of legislation run mad.—*Hurkaru, March* 23.

The Legislature have adopted, as every one knows, the wise policy of submitting their proposed laws to the ordeal of public opinion prior to enactments. Our very limited thinking and reading community cannot of course afford any very great aid to the cause of legislation, for the very plain reason that that community does not constitute a thousandth part of the mass for whose (supposed) benefit the laws are enacted. Yet the suggestions of individuals and the strictures of the Press, have, we know, some effect, and in order to

enhance the value of "observation from without," and encourage more and more the practice of offering it, we would fain see the strictures and suggestions put forward in an honest, consistent spirit, backed by fair, plain, argument. Idle objections, supported by sophistry and contradictory of declared opinion, can do the cause of the public no good, for being, as we are, at the mercy of a despotic viceroy, it is only by convincing him of the value of our advice and observation, by the intrinsic evidence of its own worth and honest intention that we can hope to have a voice in the amendment of laws for our own benefit. Hence we are sorry when we find the subject of projected laws remarked on in such a style as that adopted in the *Hurkaru* of Thursday last on the Sudder-Ameen jurisdiction-extention Act. It is not often that our brother ventures to remark on the current business of the day, and still less frequently does he touch upon the most interesting subject to all thinking men,—the progress of legislation. When he does so, it is rather after the fashion of an angry and interested partizan than with the temper of a cool observer, or the spirit of a philanthropist; a sort of one-sided quibbling takes the place with him of fair statement and dispassionate ratiocination; the energy of honest intention is lamely aped by laboured vehemence of ingective, and the strength of plain language aptly applied is represented in his columns, by the turgid affectation of pseudo-Burkian bombast. Not having yet remarked ourselves upon the draft of this important jurisdiction-extension Act, we will take occasion at the same time to say our say, and show up our brother.

The employment of the natives of India in administering the laws to their own people in their own country, had been insisted on by the wisest Indian statesmen for many years previous to 1831, as a measure alike of justice and of policy. None were more ready than the staunchest advocates of the measure to admit the disadvantages attending it, but they rightly judged that the good overcame the concomitant evil, and they further pointed out that by the adoption of the system they proposed, a mode of counteraction to that evil, would be raised up, available not only to that partial end of counteraction, but powerful to produce a general moral benefit upon the people of India at large. The *evil* was of course to the want of principle common to most oriental nations; the *check*, that creation of European executive officers into officers of supervision which would necessarily follow upon the delegation of their ordinary duties to native subordinates; the *general moral benefit*, the effect of that check in forcing upon the attention of the people at large the beauty of honesty, and giving evidence to them of its superior profit by compelling in the first instance a practical exemplification of the truth of the old adage "honesty is, &c. &c. &c." In 1831 the system was for the first time put on a large scale to the test of practice. It was acknowledged that the native character was notorious for its want of principle, (a fact admitted by none more readily than by the natives themselves,) but it was allowed at the same time that to go on for ever abusing, decrying, and despising them was not the way to make them better; that if you continued to *deny* their being trust-worthy, they would never become worthy of trust; that if you persisted in keeping all offices in the hands of foreigners, looking down upon the natives as a degraded, degenerate race without an exception, you never could hope to conciliate the people generally, or render your Government in any fashion popular with the better classes. Thus morally, and still more politically, the experiment was worth trying. A despotic Government, with a handful of chief men for its executive, unpopularly constituted among a people ever thirsty for change, holds its seat by a strangely frail tenure, so long as it undervalues the character of the million it rules over. "* The contempt which one affects on the throne," says that admirable historian, Daru, speaking of the Venetian Government, "is still more dangerous than that which one inspires." Hence, our statesmen, whether they did or did not read Daru, adopted at any rate a wise policy conforming to the principle above laid down, and this for some six years past has been in course of working out. The jurisdiction-extension act is no more than the coping stone to the structure; it is what every one with sense sufficient to draw the plainest inference must have foreseen, and those who at this time yell forth complaints against the enactment, in horror and surprise, the most unmitigated, must submit to the imputation, either of having self-acknowledged their want of political sagacity, or of having affected a fictitious astonishment for the better accomplishment of a newspaper *ad captandum*.

The writer in the *Hurkaru* objects to the act, because the native judges are dishonest men, 2. Because they have jurisdiction given them over Europeans. Now, he says that he, on the passing of the reg. V. of 1831, creating native judges "*at once recognised the truth and justice of the measure* and "*gave its framers our humble tribute of praise.*" It appears that he now denies "truth and justice and withholds the "humble tribute" on occasion of an extension of the provisions of this regulation" because "the columns of the official gazette afford a melancholy record of native judges convicted of bribery." Now we deny in the first instance that the "melancholy record" would bear out our brother in concluding native judges to be more corrupt now, than he considered them to be in 1831, when their appointment seemed to him a measure of truth and justice, and called for his humble tribute, and in the second place, we really cannot allow him to stultify the public by opposing the extension of jurisdiction to native judges of the highest class *only*, on the ground of

*Sur le ton le mepris que l'on affecte est encore plus dangereux que celui que l'on inspire. Daru. Hist. de Venise.

occasional instances of dishonesty among all the three grades taken together. As to the jurisdiction of natives over Europeans, the writer in the *Hurkaru* begs the question as regards Reg. V. of 1831, which, he says, excluded Europeans from the jurisdiction of natives, because the Government "was convinced that justice would not be impartially administered in those cases." The writer must, we suppose, have had an intuitive perception of this conviction, otherwise how could he be aware of it? But have natives by this proposed act, direct jurisdiction? The writer in the *Hurkaru* says so, for he cites two cases of importance, which will be referred under it to the court of principal sudder ameens. The draft of the act, however, gives us to understand the direct contrary, for it merely provides, that no zillah judge shall be precluded from referring any suit to any principal sudder ameens, whence it appears that the interest of Europeans are still entirely in the hands of European judges. The bearings of the law are not fairly and honestly stated in the *Hurkaru*, either in the one case or the other. This is not argument, but case making. What makes this style of objection still more absurd, is the fact that this very *Hurkaru* newspaper was but a few weeks ago shouting *paeans* over the appointment of natives to posts of trust in the Revenue Department, a position in which their dishonesty, if they be dishonest, is productive of infinitely more extended evil than in the judicial branch, and where the interests of Europeans are more likely to be affected by a bias of partiality against them, because the check of superior European authority is not so direct, or so easily excited as in the civil courts.

For ourselves, we are sorry, in as far as our countrymen are concerned, to see the same sort of legislation with respect to them exhibited in this as in the far famed Black Act. It is true, as above set forth, that their interest, are virtually in the hands of European judges, but these individuals are not always the discreetest of men, and they have, by transfer to a native judge of a case utterly beyond his competence to understand, much less decide, the power of imposing on an European much annoyance, distress, and ultimate loss. The question is, should they be entrusted with much power? We regret much that the supineness or inefficiency of the Law Commission should continue to keep European settlers in India hopeless for years to come of a code in which their interests generally should be considered and provided for; in the mean time, they are made the subjects of piece-meal legislation, and partial enactments framed upon general expediency—principles, with little reference to the peculiarities of their position. They have just cause to complain, and should petition, not against the operation of an isolated law, but in favor of the formation of an extended civil code, without which they must continue in the same anomalous position in which they have hitherto found themselves, and at the mercy of Expediency Acts.

In the matter of this proposed law, in so far as the dishonesty of the native judges bears upon it, we have already virtually expressed our opinion. Government has chosen to entrust judicial powers to native officers, the majority of whom require strict supervision for the assurance of their integrity. Now the less original jurisdiction you impose upon the supervising officer, the more complete must be his power of general control. Consequently the law is a politic one. That the want of principle is the main cause of complaint against native judges, (particularly moonsiffs) and that their countrymen put less trust in them, than in European judges, is notorious; but it is not less notorious that efficient control by a superior officer, and the fear of losing a valuable office, the prospect of promotion and that *summum bonum* of the native, a pension, compels an integrity which is not the less complete because the offspring, not of principle, but of interest and fear conjoined. To say that a native is not to be depended on, who only receives a monthly salary of five hundred rupees, is taking a European estimate of the ratio of the reward: that sum to a native is more valuable than triple its amount to a European. We, however, strongly incline to think that honesty cannot be purchased. Innate principle, the dread of shame, the hope of reward, the fear of punishment are the things to look to, and not five hundred nor five thousand monthly bits of money. In proportion as these come to be exercised will the honesty of native subordinates be assured. Already there is a manifest improvement in the integrity of native judicial officers, best manifested by the greater readiness of native suitors to abide by their decisions. It is not the business of those who truly desire to see respect and honor paid in India to the beauty of integrity, to call out at every instance of mis-doing, and damn a class for the crime of an individual. Let misdeeds be visited with punishment, but take occasion to give credit indirectly to those who have done no wrong, that they may thereby learn to glory in the distinction. "The fool," says the Persian Proverb, "points out the stain in the fair carpet; the wise man covers it with his skirt." The day is, we fear, very, very far distant, when principle will instigate the majority of our Native judges to honesty, but of this we may be assured, that the worst way of accomplishing the desired end is the eternally reminding them of their dishonour.—*Englishman, March 27.*

The Draft of a new Regulation has just been promulgated, which introduces a most important alteration into the Civil jurisprudence of the country. It is proposed that in future, all original suits, of whatever value, shall be cognisable by the Principal Sudder Ameen. This may be considered as putting the finishing hand to the new system of Civil procedure, which has now been in progress for six years. During this short interval, a complete organic change has been introduced into the Courts;

the design of which is to consign the management of all civil suits in the first instance, to the hands of Judges, a large proportion of whom are Natives, and all of them distinct from the Judges in the covenanted service. The labours of that service are now reserved almost exclusively for appeals from the decisions of the uncovenanted Judges. In this respect, moreover, the proposed law introduces a very decided alteration. Appeals from the decisions of the principal Sudder Ameens are to be cognizable only in the Sudder Dewanee Adawlut. Under the old regime, cases were brought before a Zillah Judge, and passed in appeal from him to the Provincial Courts, and from thence moved up into the highest Court of appellate jurisdiction in the country. Under the new system, the functions of the Zillah Judge and of the Provincial Court are superseded. A cause of even the highest value, may be brought before a Hindoo or Mahomedan Judge, and carried from him in appeal at once to the Sudder.

The effect of this change will, we think, be found beneficial. It will relieve the higher functionaries, who enjoy large emoluments, from the details of civil jurisprudence, and afford them leisure for that general superintendence of the administration, which is their proper province. It will simplify the machinery of civil justice, and render the settlement of judicial questions less burdensome to the funds both of the state and of suitors. That the Natives are quite as competent, from their natural sharpness of intellect, to comprehend the merits of a case, and to detect those shades of difference upon which justice often hinges, was, we believe, never denied. Born and educated in the country, they posses that acquaintance with local habits and feelings, which cannot but facilitate the settlement of litigated questions. All that was wanted to give them the full competency of Judges was, honesty of character. This also will come with time, and the exercise of responsible functions. Meanwhile, any bias to injustice, whether through the influence of prejudice or corruption, which may deteriorate their decisions, will be corrected by an appeal to the higher Courts, in which some of the oldest and most experienced Judges in the European community preside. At the same time the dignity to which it is now proposed to raise the Natives, cannot fail to conciliate the country, and to prove a powerful stimulus to national improvement.

The management of Civil suits is that department of the executive government which can be committed with most confidence to the Natives, under an effective system of checks. In fact the more questions of individual right can be entrusted to the decision of the community among whom the disputes arise, the better for the country. The simplification of civil law, so as to admit of the settlement of every question by the shortest and simplest process, is always an unequivocal token of improvement. Indeed, the happiness of the subject in reference to such disputes would be greatly promoted, if they could be compromised in every case without reference to law. We were much struck in reading Baines's History of the cotton manufacture in England to find that, though the quantity of raw cotton, which passes through the hands of the brokers at Liverpool, does not fall short, if we remember right, of seven millions sterling a year, and though many questions of great magnitude and intricacy are involved in these transactions, in no instance has a dispute been brought before the Courts relative to them; every altercation has been settled by an amicable reference to those in the profession who had no interest in the transaction which gave birth to the dispute. The more this principle of self-government can be brought into practice, the more healthful will be the administration of Government.

But the increased responsibilities of the Principal Sudder Ameens ought, in our humble judgment, to be accompanied by an augmention of allowances. They are now entrusted with those functions of the public administration, which it was formerly deemed necessary to commit to an officer of not less than fifteen or twenty years' standing in the Civil Service. In the decision of original civil suits, they now occupy in fact that place in the state which was formerly filled by the Provincial Judge of Appeal; why then should their allowances be restricted to one-eighth of the salaries paid to those high functionaries? To impart consistency to the present arrangement, it is necessary that the emoluments of these elevated stations should be brought in some measure to correspond with the dignity and responsibility with which they are invested.

The system of jurisprudence which it is now proposed to establish, appears to remove the only real objection which existed to the employment of the language of the people in the management of their own business in the Courts. While cases of a high value were cognizable only by gentlemen in the Civil Service, who were not always acquainted with the vernacular language of the province entrusted to them, there was some obstacle in making it the language of the Court. But all the Principle Sudder Ameens, be they Hindoo, Mahommedan, or Christian, are, we believe, well versed in the language of the people among whom they live. This, therefore, is the time to gratify the Native community by restoring to them the use of their own language, and conferring on them a boon of which they have now been deprived for more than six centuries. In the extending jurisdiction of the Principal Sudder Ameens to the original cognizance of all suits, we have followed the example of the Bombay Presidency. Why may we not also follow that Government in the adoption of the vernacular languages, than which no measure is more likely to conciliate the confidence of the people. One great step in this path of benevolence has already been gained in the recent order that the depositions of witnesses should be

taken down only in the language of the deponent. It remains for Governor to communicate their own work.

We would simply add further, that such an arrangement cannot interfere with the current of appeals to the Sudder, for it might still be the rule that in all appealed cases, the papers should be translated into Persian The possibility of an appeal to the Sudder, in which for some time to come Persian will probably continue to predominate, ought not, therefore, to stand in the way of this transcendant concession to the people. Not one cause in fifty is likely ever to reach that Court; and it cannot but appear an anomaly that on this simple ground, the remaining forty-nine causes should be tried in a language foreign to the people.—*Friend of India, March* 23.

We find the *Friend of India* is opposed to our views on the subject of the proposed Law for extending the jurisdiction of Native Judges to all cases, whatever may be the amount of property at stake. The intelligence and philanthrophic spirit generally displayed by our contemporary, would lead us to attach considerable importance to his opinion in the present instance, were it not evident that it has been formed under a misapprehension of the real nature of the law he commends. We owe we are surprised he should have recorded his sentiments upon a matter of such vital importance to the country at large, without having taken the trouble to read with accuracy the two short sections of which the proposed Act consists; had he done so, he would never have penned the article which we have copied into another part of our paper.

The *Friend of India* supposes, that the effect of the new law is to supersede the functions of the Zillah Judge, and that, under its provisions, "appeals from the decisions of the Principal Sudder Ameens are to be cognizable only in the Sudder Dewanny Adawalut.' If he will turn to the last clause of the Act, he will find that the appeal from the Principal Sudder Ameen to the Sudder Dewanny is given only in cases appealable to the King in Council, that is, in suits where the amount of the property in dispute is estimated at more than sicca rupees 43,103; *in all other cases, instead of the functions of the Zillah Judge being superseded, his decisions are made final*, with the exception we pointed out and explained in our former remarks. As our contemporary's advocacy of the measure is based upon the above erroneous supposition, it is only necessary for us, in refutation of his arguments, to mention the mistake he has committed in what he says as to the correction of the errors, whether wilful or accidental, of the native functionaries, by the "oldest and most experienced Judges in the European community," of course falls to the ground. Our legislators have provided no such safe-guard for the rights of those consigned to their rule. They have given them over, without appeal or remedy, to the honesty of the Native Sudder Ameen, and the discretion of the Zillah Judge! That any limit has been assigned to the operation of this monstrous system, we believe we owe entirely to the Act of Parliament, which gives an appeal to the King in Council in all suits for more than £5,000 sterling. It is to the British Legislature, and not to the Indian Government, that we are indebted for this solitary exception to the general principle. The *Friend of India* supposes that the object of the law is merely to transfer to the Principal Sudder Ameen the jurisdiction now possessed by the Zillah Judges, whereas we have shown that its effect will be to take away the jurisdiction of the Sudder Dewanny Adawlut in a vast majority of the most important cases, and to transfer to the Zillah Judges the controlling power which has hitherto been vested in the highest appellate Court. We presume our contemporary will allow that the Zillah Judges are, as a body, quite unfit to be trusted with such enormous powers as will be given to them under the new Act, if it pass in its present shape. Should he have any doubt on the point we could cite a few decisions of these functionaries for his information, or he may turn to the printed reports of the Sudder Dewanny Adawlut and judge for himself what would have been the amount of wrong committed, had a law similar to the present one been passed some years ago—and that the Zillah Judgeships are now filled by men of more experience and talent than formerly, will scarcely be contended. It is indeed curious that this Act gives *more* power to a *single* Zillah Judge than is possessed by a *single* Judge of the Sudder Dewanny. In an appeal to the latter Court, the concurrent opinions of *two* Judges are required to *reverse* a decree, but the *single* voice of the Zillah Judge is to be sufficient to *reverse* as well as confirm the decisions of the Principal Sudder Ameens. Is this an oversight on the part of our rulers, or what? While writing on this subject, we ought to notice a circumstance which is perhaps not generally understood, viz. that suits not appealable, on the merits, to the Sudder Dewanny under the new Act, (the nominal amount of the claim being less than Sa. Rs. 43,103) are often brought for property of the real value of lakhs of rupees. Not to mention that large class of cases in which important questions of right are raised on disputes as to trifling pecuniary amounts, —(as where a claim for the rent of a small Talook may involve the tenure by which a whole Raih is held) the *official* value of suits for landed property is entirely fallacious. If it be a Zemindary paying revenue direct to Government, the value is estimated to be three times the Sudder Jumma, although, in fact, ten times that amount would be nearer the truth, and this would frequently be far too low. Thus a suit for a zemindary assessed at Sa. Rs. 14,000 would not be appealable to the Sudder Dewanny, although the actual value might be considerably upwards of a lakh and a half.

We trust we have said enough to convince the *Friend of India* that he has been over hasc

in praising the proposed law, and we are confident he is too candid to withhold the admission of an error. We will not now advert to the other remarks he has made in connection with this subject. Some of them seem to us better adapted to the meridian of Utopia than to that of British India in the nineteenth century. It is singular too, that when our intelligent contemporary dwells upon the peculiar qualifications of the natives (always barring the somewhat important requisite of honesty) to administer justice to their countrymen, he should not perceive that his own argument shews their utter unfitness to adjudicate cases to which Europeans are parties, and which can be rightly decided by those only who are conversant with European laws, customs, and feelings.

The *Englishman* also is hostile to our views of this law. It seems our style of writing offends our brother's taste; we regret it should do so, but at this moment have no leisure for apologies. As, however, the *Englishman* charges us with not having fairly and honestly stated the bearings of the law, we will say a very few words on the point. We are not partial to the use of the *argumentum ad hominem*, but we would suggest to our contemporary that when he professed to give his readers a summary of our objections to the Act, it would have been rather more "fair and honest" on his part not to have omitted the very important one urged by us on the score of the transfer of appellate jurisdiction from the Sudder Dewanny to the Zillah Judges. Perhaps this was one of the "bearings of the law" he found it difficult to defend, and therefore passed over in prudent silence. But he thinks there is a gross inconsistency in our objecting to the new act, at the same time that we give our "tribute of praise" to the framers of Regulation 5 of 1831. Now where is the inconsistency of this? Regulation 5 of 1831, was an experiment made with very great caution; whereas the proposed act, though founded in a certain degree upon the same principles, is a piece of reckless legislation, removing these restrictions which the wiser policy of the Government of 1831 had imposed, and increasing to an indefinite extent the temptation to corruption. So much for this charge. The *Englishman* next tells us, that "the interests of Europeans are still left entirely in the hands of European Judges." This is either a blunder or a quibble. It is true that no suits whatever are instituted in the Courts of the Principal Sudder Ameens, who only try the cases referred to them by the European Judges; but Act XI. of 1836 has ordered that the suits of Europeans shall be so referred, equally with those of natives, and the proposed Act further declares that the magnitude of the property at stake shall be no impediment to such reference. We conclude, therefore, that the Zillah Judges, acting under these laws, will ever make fit suits whether of Europeans or natives, indiscriminately, to the appointed referees. Indeed, we know not how the Zillah Judges could make a discrimination, unless they took upon themselves to treat the Black Act as a dead letter; the suits are referred to the Sudder Ameens immediately they are instituted, and it is not until the pleadings are finished that the nature and importance of a case can be understood. We will say no more in reply to our contemporary, but leave the public to decide whether his article or our own best deserves the stigma of being an unfair and dishonest statement of the bearings of this proposed law.

We once more call upon all those who have an interest in the administration of Mofussil justice to bestir themselves in this matter before it be too late. If they suffer this draft of the proposed Act to pass into a law, without remonstrance on their part, they will assuredly one day repent their present apathy.

[*Hurkaru, March* 30.

In our observations upon the draft of a Regulation for enlarging the Jurisdiction of the Principal Sudder Ameens, we fell inadvertently into a very serious error, which the *Hurkaru* has pointed out and which we hasten to acknowledge. Under the proposed arrangement, the Civil Judge is at liberty to refer all litigated questions, whatever may be the amount at stake, to the Principal Sudder Ameen; and an appeal from his decision lies to the Sudder, only when the value of the property in question is of such an amount as to come within the range of an appeal to the King in Council; in all cases of inferior amount, an appeal lies only to the Civil Judge whose decision is final. We had erroneously supposed that the appeal to the Sudder was not fettered by this limitation; and hence the arguments in favour of the new law which were built upon this general right of appeal, will of course fall against it, since no appeal is allowed but in cases of £6,000 value.

It is a serious drawback upon the value of the new law,—which so far as the property of Natives is concerned, commends itself to the judgment,—that the interests of Europeans, which frequently involve principles of English law, should not be brought for final decision to the only Court in which they can obtain a full and equitable examination. The Native Ameens, however well acquainted with the transactions of their fellow-countrymen, can form no correct judgment in causes far beyond the sphere of their legal attainments, which arise out of a system of law of which they know nothing, and the documents connected with which they cannot comprehend. The appeal which is allowed from them to the Civil Judge cannot be deemed satisfactory. From the constant fluctuation of Society in India, this office is frequently filled *pro tempore*, by young men of very limited experience, and wholly ignorant of the principles or practice of English law. In these circumstances a European suitor cannot anticipate that ample measure of justice which he is entitled to expect from Government. The object of the

proposed law, is of course to improve the administration of justice; it ought therefore to contain some proviso, to meet the difficult cases of European suitors. The European ought not to be placed in a worse condition than the Native. It has been the invariable practice of Government to appoint Native expounders of the Hindoo and Mahomedan laws to every Court, in order that the European Judge who was inadequately versed in questions arising out of those Codes, should be enabled, by means of those assessors, to dispense full justice to the Natives. A corresponding indulgence cannot be equitably denied to the European inhabitants of India; and every enactment which claims to be founded on justice must recognize in the case of Europeans the same equitable principle upon which Government have acted in the case of Native transactions.

It does not appear on what ground suits cognizable by the Sudder Dewannee Adawlut should be limited to such as are open to an appeal to England, just at the time that Court appears to enjoy greater facilities than ever for disposing of appeals. When the old machinery of the Provincial Courts was in operation, the jurisdiction of this Court extended throughout the whole of the Presidency, and the number of Judges was generally limited to four. At present one half its jurisdiction has been transferred to the Court in the Western Provinces, while the number of Judges has been increased. Why, then, it may be reasonably asked, should the business of the Court be contracted, to the manifest detriment, of suitors? Under the proposed arrangement, indeed, the Civil business of the Court will soon be reduced almost to nothing. The Civil and Session Judge having now the privilege of transferring all suits to the Principal Sudder Ameen, will necessarily avail himself of it; and in this case the only Civil causes which can in future be heard and determined in the Sudder Dewannee, will be cases of the large amount of £5,000. How many such suits are likely to be brought into Court within a twelvemonth?

The proposed enactment is the counterpart of the law as in force at Bombay, which gives the original jurisdiction of all causes to Native Judges; but it does not appear that the suits which at that Presidency may be appealed from their decision to the Sudder, are limited to cases of £5,000 value. In looking over our files of the Bombay Durpun, we find cases of the trifling value of 400 and 500 Rupees appealed from the Principal Sudder Ameens to the highest court of appellate jurisdiction. It is to be hoped, therefore, that the present Act will be so modified as to meet the exigency of causes in which Europeans are a party; and that while Government are anxious to inspire the natives with confidence in the institutions under which they live, they will not be unmindful of the necessity of inspiring the European residents with equal confidence.—*Friend of India, April 6.*

MEMORIAL.

To the Right Honourable George, Lord Auckland, G. C. B., Governor-General in Council,

The respectful memorial of the undersigned inhabitants of the provinces subject to the Presidency of Fort William.

SHEWETH.—That your memorialists are much dissatisfied with the project of a Law, announced in the official Gazette, of which the object is to render all cases referable to the Principal Sudder Ameens, with a distinction in regard to those only which under Regulation 16 of 1797 are, through the Sudder Dewannee Adawlut, appealable to the King in Council. In regard to these it is proposed that from the judgment thereon an appeal shall lie direct to the Sudder Dewannee Adawlut. In all other cases referred to the Principal Sudder Ameen, the regular appeal will be to the Zillah Judge, from whose decision there is only a special appeal to the superior Court.

2 The objections of your memorialists rest chiefly on the nature of the existing rules which regulate the admission of special or second appeals, and on the want of confidence which they feel as to the judicial qualifications of the individuals to whom the functions of District Judge, and, more particularly, of Principal Sudder Ameen, are now entrusted.

3. It would be tedious to trace the fluctuating views of the Government on the subject of special appeals,* sometimes extending, and sometimes narrowing, the grounds for the admission of the same. It is sufficient to notice that no second appeal is now admissible, unless the appellant concede the facts as found by the lower Court, and shew exceptions based on law, precedent, or usage.

4. Your Lordship must be well aware, that the vast majority of litigations turn on issues of fact, and your memorialists cannot contemplate without alarm "the serious ill consequences likely to arise from the great increase of erroneous judgments not revocable in appeal,"† which will inevitably result from the proposed law. That the fears of your memorialists are not ill founded, they entreat your Lordship to refer to the printed reports of the Sudder Dewannee Adawlut, and to compute the mass of wrong which would have been perpetrated, had a law such as that now suggested, debarred the aggrieved from redress. Your memorialists apprehend it will not be urged that the Local tribunals are now occupied by a more qualified order of men.

5. By the 21st George 3d C. 70, Sec. 21, an appeal lies to the King in Council, from any judgment passed by the Sudder Dewannee Adawlut, on a matter the real value of which is £5,000 sterling, at least; and though that Court will refuse to forward an appeal from

* Reg. 49 of 1803, Sec. 24. Reg. 2 of 1808, Sec. 10. Reg. 26 of 1814, Sec. 2. Reg. 9 of 1819, Sec. 2. Reg. 2 of 1825, Sec. 4.

† These are the words of Reg. 49 of 1803, Sec. 2

its judgment where the official valuation of Sa. Rs. 43,103 is wanting still the appellant from its decree, when affecting property of the real value of £5,000 sterling, is not deprived of the remedy bestowed by law, as the Privy Council would, in such case doubtless receive an appeal preferred direct to them. But by the proposed Act it will result that a large number of cases, by their real value legally appealable to the King in Council, will be finally decided in the Zillah Courts, and the parties aggrieved will be ousted of the recourse which the British Legislature has provided. Your memorialists need not remind your Lordship that the official valuation of suits regarding tenures of land is much less than the real.

6. Your memorialists cannot suppose that the projected law has been suggested by motives of public economy. If, however, its origin have any connection with such motives, your memorialists respectfully submit that on the vast revenues levied from these provinces, a more legitimate charge than the adequate provision for the pure and efficient administration of justice cannot exist; and they apprehend that if economy were to be promoted, charges might be selected for retrenchment more dispensable than those which tend to assure the redress of wrongs.

7. Under these circumstances your memorialists respectfully entreat that your Lordship in Council will abandon the projected Law; or, if resolved to promote the measure contemplated, your memorialists pray that it may be qualified with one of the two following amendments.

1st. Let all judgments of the Principal Sudder Ameens, under the proposed extension of their powers, be appealable direct to the Sudder Dewannee Adawlut—or 2dly, Let the grounds for admission of second appeals be extended so as to embrace erroneous judgments in facts as well as law.

[The Memorial is signed by eighty of the principal Merchants and Zemindars in the neighbourhood of Calcutta.]—*Hurkaru.*

We have copied from the *Hurkaru*, a memorial to the Legislative Council, signed by eighty of the principal inhabitants and Zemindars of Calcutta, which prays for the suspension, or at least the modification of the Act which is to consign all causes in the Mofussil to Principal Sudder Ameens. The arguments which are advanced in the memorial, do not appear sufficiently strong to warrant the relinquishment of an Act which forms part of a system for transferring the original cognisance of suits to Judges not in service; but they forcibly point out the necessity of allowing an appeal from their decision to the Sudder Dewannee Adawlut, both on questions of fact and of law. The simple fact that those who are interested in the decision of large suits prefer an appeal to Calcutta, with all the inconvenience and delay which are inseparable from it, to the cheaper and more expeditious plan of an appeal to the District Judge, is of itself a powerful Argument against the proposed measure. But in the present state of the legal administration, such an appeal cannot be denied without injustice. In every Zillah there exist local partialities and prejudices, which render it highly desirable, especially where large interests are at stake, that a reference should be allowed to a Court, which commands respect throughout the country, by the independence of its character. The Principal Sudder Ameens are, moreover, new to their duties; a large portion of the legal data which govern the decision of suits, they have no access to, as we showed last week; and in every case which involves principles of English law, their decision must be altogether unsatisfactory. The liberty of appeal to the Zillah Judge, though it may in some instances mitigate the injustice of their decrees, does not convey that full confidence to the mind of the suitor, which it is so desirable to associate with every decree. It often happens also, from the ceaseless fluctuation of officers in the Mofussil, that the office of Judge is left for months under the charge of a very junior, and very inexperienced, functionary. It is not therefore wise to sanction an innovation, which necessarily exposes the dearest interests of individuals to the risk of being decided finally and without appeal, by those who are incompetent to grapple with the difficulties of a large and complicated question. When a man is to be reduced to poverty it is some consolation to his feelings,—though but a poor and melancholy one—that his case has passed under the investigation of those to whose wisdom and experience the general superintendence of justice throughout the country has been confided. We sincerely hope that the prayer of the memorial, will lead to such a modification of the law, as shall place the benevolence and wisdom of the legislature beyond dispute, and give a character of substantial justice to the legal reforms which it is proposed to introduce.—*Friend of India, May 4.*

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—I am glad to hear that upwards of 80 respectable natives have had the good sense to petition against this second blow at appeals, this second manifestation of "absolute wisdom in pure abstraction." *Our normal* schools of justice ought, indeed, to have been founded among a singularly intelligent and honest people, to become so speedily final as well as primary institutions. There are amongst us men who think the present members of the Legislative Council so utterly unfitted for their high calling, that it is better they should multiply false steps, and do partial mischiefs till they finally destroy their own credit with all men; and therefore that it is for the *greatest good of the greatest number*, not to remonstrate: I am not one of these thinkers and I am glad that the Sudder Dewannee Adawlut also has done its duty so well

Apropos of what you say concerning the *Friend to India*; no doubt that paper has retracted a mistake, but the enquiry that I wish to make is, what led it so readily on such a subject to make one? The *Friend to India* (as it seems to me) is a partisan of the local Government under the forms of moderation and impartiality, which no more alter the essence of party spirit than the forms of candour and mildness alter the essence of despotism. In the columns of the *Friend* I often discover our "*Pii reges*" speaking at first or second hand, the words of power in mild tones, as Alexander the First, an autocrat to his serfs and a tool or coadjutor of his oligarchs, paraded in saloons the philosophy of Lahipe.

c

No one knows better than its *Friend*, the true present character of the natives of India; take this illustration from its article of the other day on India rubber, which contains nothing new but serves to shew that the *Friend to India*, knows very well what others have long known. "The Caoutchouc of India, however, is found to be so inferior to that of the Brazils, that while the one fetches from half a crown to three shillings a pound in the English market, our produce, it is said, cannot commend more than *two pence a pound*. In the case of this as of almost every other production with which Providence has blessed this fertile land, the indolence and carelessness of the natives neutralize the bounties of nature. Though there is no natural deficiency in East Indian Caoutchouc, it is found to be so mixed with impurities through the extreme inattention with which it is gathered, that other nations are enabled to supplant us. It is precisely the same with our cotton, and in fact with every article the growth of this country which has not the benefit of European superintendents and honesty. In one article alone, have we gained the start of every other country, namely, in the article of indigo; but let European care be once withdrawn, and the indigo of India will rapidly sink in the market."

Now permit me to enquire of the *Friend to India* what sort of article JUSTICE is likely to be, *the growth of his country, which has not the benefit of European Superintendents and honesty?* Whether this article of Indian justice; *European in the* [illegible] who are FREEMEN, should be withdrawn from Europeans, their countrymen and equals as freemen; to be committed to the care of those who cannot make the ARTICLE FREEDOM and are not, and for ages will not be their equals? The power of upsetters and visionaries cannot make equal things unequal, mischief they may increase, but they will never make the European resident respect or obey Mofussil justice administered by natives—they will warp or domineer over it, they will be as they *are*, the Masters, and a deplorable state of things will be rendered irremediable. Corrupt to perfect rottenness the fountains of justice, already deeply tinted, by giving to the dishonest more power, this is what our rhetoricians and abstract philosphers *may* do, what they *cannot* compass, is TO DO JUSTICE TO EUROPEANS BY NATIVE HANDS. Our Rulers can no more do this than they can find the point of saturation in the conscience of a bribe-taking rogue in grain, by administering to him an increased dose of salary. The faults and the despotic usurpations of power of law givers are not forgiven because their purposes may be honest in their own eyes, I live in the hope that the present as well as the future will do justice on them.

NOUS VERRONS.

Our correspondent NOUS VERRONS, speaks forcibly, and we fear not too forcibly, on the subject he handles. We shall return to this subject in a day or two—*Harkaru, May 2.*

The slovenly manner in which public enactments are occasionally drawn up, has often been made a subject of remark, the affectation of brevity not unfrequently giving occasion to obscurity. Indeed, scarcely an act can be propounded for acceptation of the community, but its phraseology is turned over in every direction, and its law criticised, for the purpose of finding out some flaw in the composition. This, if done in a proper spirit, is praiseworthy, and in accordance with the intention of the legislature, which has decided that, all drafts of intended laws shall be previously published for general information, so as to afford opportunity for their examination. During the short period which has elapsed since the appointment of the Law Commission, several instance have occurred of this privilege having been exercised; and at the present time, the Government have under consideration the appeal of certain inhabitants against the modification of Regulation V. of 1831. We allude to these circumstances to shew that sufficient vigilance exists in the press, and on the part of individuals, to detect errors of judgment in those who are entrusted with the highly responsible duty of legislating for a whole people. It would have been well if the charter itself had been subjected to the same ordeal, instead of having been passed through the houses of Parliament with [illegible]

curred to us to notice the [illegible] which aliens are regarded in regulations for the better government—as they are termed—of India. We need scarcely instance the recent act for enabling Europeans to hold land where aliens have been expressly excluded participation in the general benefit, it is probable, in ignorance of their number having been ever estimated, and a vague apprehension of their being landholders, being likely to prove detrimental to British interests.

It is one of the principal boasts of the advocates of the New Charter, that it has done

away with those invidious distinctions which heretofore operated to the detriment of particular classes of the community, and we see no reason to deny them the credit of this fact; but we cannot admit that this has been done unreservedly. As an instance, we may point out the XLVI. clause which provides, that it shall not be lawful for the Governor-General in Council, in his legislative capacity, without the previous sanction of the Court of Directors, to make any law or regulation, whereby power shall be given to any Courts of Justice other than those established by his Majesty's charters, to sentence to the punishment of death any of his Majesty's natural born subjects born *in Europe*, or the children of such subjects. We can scarcely divest ourselves of the idea, that the person whoever he may be, who drew up the clause, was profoundly ignorant of the state of society in this country; else would it have been possible to have framed a more partial and offensive measure than this, the effect of which is to place a considerable portion of the public out of the pale of privileges which their fellow subjects enjoy? We know not whether, in the Penal Code, advantage has been taken of this circumstance, or whether the good sense of those who have assisted in its compilation has sufficed to render nugatory this objectionable proviso. In regard to Europeans born in Europe and their children, it is at the pleasure of the Court of Directors to grant or withhold to the zillah courts the power of suspending, in its most serious shape, the persons of his Majesty's lieges who are above specified, a prerogative which has hitherto been solely exercised by the Supreme Courts of Judicature in India; but all aliens and East Indians, not being children of a British father or mother, are placed on an equality of disadvantage, in being deprived of the more dignified preference to the services of Jack Ketch. It is no difficult matter to foresee the operation of this obnoxious clause. By it, the child of a low caste native female, by an European father, is placed in a superior position to the offspring of East Indians by intermarriages among themselves. In fact, the latter are ranked with aliens, thus going contrary to the spirit which dictated clause LXXXVII. providing that no person born in India, or subject of his Majesty born in Europe, shall be debarred by reason of religion, place of birth, descent or color, from holding office under the East India Company. Now, we cannot reconcile either the justice or expediency of the distinction made in the former case, nor on what principle a question of civil right has the preference of advantages over one which has reference to matters of life and death.

We are well aware of the almost unlimited powers given to the Legislative Council under the provisions of the new Charter, but we begin to be of opinion that there is sufficient check on public opinion to prevent those powers being exercised in permanent detriment to the inhabitants of India. We have, it is true, some guarantee in the character of our present rulers that no such contingency will be intentionally entailed on this country; but we feel that this safeguard is only temporary and might be nullified in an instant by men entertaining different sentiments. Our hope is in the plain good sense of the council, who, we confidently anticipate, will not find it necessary to avail themselves of the powers which have been delegated to them, but will be enabled to modify the errors committed by the home Government, in this and other instances, by their better estimate of what is to be considered enlightened and liberal legislation for British India.—*Englishman, May* 13.

THE HINDU.

No. 4.

When the diffusion of knowledge was hastened in this metropolis through the laudable exertions of the *philanthropic* Hare, and the educated natives, animated by enthusiastic ideas of reformation and morality, boldly began to deprecate the foibles and the follies of their countrymen, and exerted their utmost to produce a revolution in their sentiments and feelings, many of the opulent baboos, struck with wonder at their enviable position, and desirous of imitating their liberality and independence, in order to secure the patronage and influence of the high folks of Calcutta, thought it expedient to follow a set of principles *entirely suitable* to their convenience. The great thing that they aimed at, was to acquire money; and they cared not a fig how they could fulfil this object. Hence the origin of the half-liberal party,—a party that is composed of men versed in deceit and dissimulation, and vastly profound in all the *mysterious arts* of hypocrisy and adulation. To them "foul is fair and fair is foul." They posses a smattering knowledge of the English language, and in regard to character, they may be all compared to a *chameleon*. To whomsoever they go for their interest, they accommodate their feelings, thoughts, and speech, to his disposion, however whimsical and capricious it may be, and all that they aspire to in "this dim spot," is to ingratiate themselves with those *sahibs* from whom they think they will be able to derive any benefit. Their prominent characteristics are craftiness and double-dealing. Before the bigots; they are bigots; before the liberals they are liberals; before the Whigs they are Whigs; and before the Tories they are Tories. When with honest men, they speak of nothing but *generosity, magnanimity, freedom, intellectual* and *moral*

improvement; *truth*, *candour*, *fortitude*, *reformation*, *patriotism*, *philanthropy*, &c. When with the civilians, they stand with supplicating hands and utter nothing but *hoozoor*, *khodabund*, *bundah golam*, *aup nowsharowah*, ye. When with the amlas, they only talk of laying "plots and inductions dangerous" to make money by venality and corruption; and when at home they appear to be absorbed in superstitious observances with the "solemn stillness" of the orthodox. What the educated natives say about conscience, that

> He that has light within his own clear breast
> May sit i'th centre and enjoy bright day;
> But he that hides a dark soul and foul thoughts,
> Benighted walks under the mid-day sun,
> Himself is his own dungeon.

They ridicule and laugh at. They say where lies conscience? They feel not this monitor in their bosoms. "The vain pomp and glory of the world" have charms for them. Money, they think, ought to be the principal object of man's ambition, and virtue should be practised as long as it is not opposed to worldly advantages. For the accommodations of life they would stoop to commit any thing, however disgraceful it may be, to human nature, and whatever they do as the *champions of liberalism*, always proceeds from base motives of self-interest. Their dress has undergone a great change. Instead of being wrapt in long flowing *jámáhs* and *jorahs*, they are now attired in pantaloons and ironed crimped *kúbbas* upon jackets and shirts. They also put on slippers and boots, comb their hair in the English fashion, and are great lovers of English eating and drinking. In all such things they are *exceedingly* liberal; but what a sad contrast there is between their system of external behaviour and principles of moral rectitude!

The last sect of the Hindoos consists of the bigots who comprise nearly the whole native population of this metropolis and the suburbs, and are as numerous and "thick as autumnal leaves that strew the brooks in Vallumbrosa." They are divided into various casts, among whom the Bramins, the Boistoms, and the Káhattoos are held in high estimation. There are no intermarriages among the bigots, and the distinctions of cast, which are observed by the higher classes, are the bane of their social improvement and of cherishing good feelings towards each other. As long as a person believes in *their religion*, they consider him a virtuous being; but the moment he renounces it, they look upon him with an eye of *despicable* hatred. Hindooism they think is the best and the purest *shaster* in the world, and he who does not follow it, is sure to be [illegible] down to bottomless perdition" hereafter. [illegible] language, they maintain, is the most sublime, [illegible] the first language with which [illegible] gifted when he was created by the Almighty God; and whatever the English and the other *mlechhes* have now learned and [illegible] they owe in a great measure to the Hindoos—the only nation that, emprang from the body of the awful Bráma while this globe was faintly emerging from a vast abyss of water. Of the Europeans and the Mussulmans they entertain a very low opinion. They will neither touch them after their bathing, nor partake of any food that is in any way in contact with them. They think that they are extremely *immaculate* beings, and are the condemned descendants of *vicious Hindoos*. The following story from *Mohavaurut* is their authority for thinking so.

While rajah Jojati was indulging one morning in the pleasures of hunting and rambling from forest to forest, smitten with the beauties of rural scenes, he saw at a distance a transparent rivulet shaded with trees of variegated fruits. On drawing near its inviting bank, he heard a soft gasping voice crying for protection. This instantly arrested his whole attention: he cast his eyes around, and observed a young girl blooming with maiden beauty, and brightened with a light of virtue upon her placid features, floating on the water—all grief and desperation. Her locks were discomposed—her hands were motionless—her eyes seemed to swim upon tears—her lips quivered with sadness, and the painful cries which she emitted at intervals could melt *any heart*, however obdurate it might be, with pity and commiseration. The rajah was, of course, moved. He ran to her assistance. He stretched forth his arms, he took her up from the rivulet, and soothed her aching spirit with many terms of endearment. Debjani (such was name of the girl,) expressed her greatful feelings to the rajah, and taking leave of him, gently walked to her father's house.

Some time elapsed, when Raja Jojati was again amusing himself with the sports of the chase. In the course of his journey he suddenly came in sight of a garden, where bowers of different sorts seemed to glow with ten thousand colours, and the delicious music of birds from many of its fragrant groves made it a blissful attractive spot. The rajah—all curiosity—soon entered this poetic place, when he saw the lovely Debjani adorned with garlands of roses and jessamines, sitting under the umbrage of a spangled tree, in the midst of one hundred and one damsels, like the celestial queen with her gorgeous company of stars. The moment the rajah made his appearance in this delightful garden, Debjani cried, "Oh my benefactor! it is to you that I have dedicated my heart. My marriage with you can only consummate all that I wish in this probatio[illegible]life; but if you decline to make me your [illegible] friend," the world will be as drear to me as it would have been without a sun." She said this, and a man of reverend aspect shaded with a grizzled beard, and a trident in hand, presented himself to her sight. Debjani instantly stood before him in a supplicating posture, and the awful intruder exclaimed: "Rajah, this is my daughter. I have heard of the obligation you have

conferred on her: *you have saved her life*; I, therefore, marry her to you. Live peaceably with her; adore virtue, and you will be happy. You are also entitled to take away these one hundred and one girls; of all of whom *Sonusta Sree* is the most beautiful; but never let her be the object of gratifying your carnal desires; if you violate this command, a dreadful curse shall light upon you." Pleased with this happy circumstance, the Rajah returned home with Debjani and her maids. He gave *Sonusta* a garden replete with rural fascinations to live in with the hundred damsels. With his lovely new wife he passed a considerable time most happily, and was blessed with two sons.

It was evening, the sky was diversified with the purple-robed clouds; the balmy breezes of the south breathed its sweetness among woodlands and flowery glades; the scent of *mol eekhus* and *malotus** infused rapture into every heart, and nature abounded in all the enchantments of spring. The rajah, all spirit and exhilaration, winded his way to the garden of *Sonusta*, whose charms so much overpowered his soul, that he at once violated the command of his sapient father-in-law *Sonusta* in the course of a few years became the mother of three sons. When Debjani heard of this, her indignation knew no bounds. The rajah begged of her to forgive him, but she was inexorable. She ran to her father, followed by her fearful husband, informed him of the conduct of the rajah, and the most powerful Sookoorachorjo, enraged at the atrocity of his son-in-law doomed him to drag an infirm and wretched life as long as he should breath the vital air. No sooner was this curse uttered, than the rajah lost all the sprightliness of youth, and at once sunk into the despondence of decrepitude. His face became instantly furrowed with wrinkles, his hair turned grey, and he was "sans eyes, sans teeth, sans taste, sans every thing" He kneeled down before his father-in-law to pacify his rage, upon which Sookoorachorjo observed, that if any of his sons would like to suffer the punishment that was inflicted upon him for his sin, he might be restored to his former age. This afforded a little consolation to Jojati. When he returned home he sent for his sons. He brought to their knowledge the circumstances that gave rise to his curse, and asked if any of them would like to free him from it for a hundred years by subjecting himself to it. All his sons, except the youngest, answered him in the negative. The rajah was so much displeased with them, that he heaped upon them *dreadful curses* for their refusing to alleviate his sufferings. The imprecations that fell to the lot of his third and fourth sons were, that they should be the kings of such countries as would be inhabited by men that would not hesitate to eat beef, pork, and other things forbidden by the shaster, and treat the four Vedas with contempt and ridicule."

Hence, say the Hindoos, have sprung the Europeans, the Mosulmans, and all other *mlechhes*. The curse of Jojati is the only cause of the triumph of heterodoxy, and affords constant opportunities to all the infidels to attack the citadel of Hindooism.

The bigotted natives have a very mean opinion of agricultural occupations. To till the ground or touch the plough is considered a sort of degradation. Commerce is also foreign to the views of many of them. What they esteem honorable is, the being in the service of a judge, a collector, or a commissioner, as a sheristadar, or of an opulent merchant as a bamun; and unless they can make thousands and lacs very soon, they are never designated *clever expert baboos:* The zemindary line is also a great object of their ambition; for what can be more flattering to their vanity than to sit in their own talooks surrounded by *gomashtas, hdebs,* and *pikes,* and issue orders and *hookoons* against the ryuts like a *big bellied justice saheb!* To frequent adawluts, and to be deeply versed in the *intricacies* of courts, must be the necessary qualifications of every landholder; and he who is not sharp enough in concocting machinations for the speedy acquisition of his fortune, often passes for a *dull, stupid fool.* When they are engaged in any law suit, either in the Supreme or the Mofussil courts, they will exert their utmost to succeed in it. Perjury is, of course, one of the measures resorted to for promoting their interest; and in addition to other dishonest tricks, they employ bramins and *Sunnasses* to be absorded in solemn prayers to Kali and Seva, that they may imperceptibly prevail upon the judicial authorities to give a favourable verdict to them, or destroy at once the opposite party of this legal strife. The moment a rich native gains a suit, he goes to the Kali-ghat with his friends and relations. He stands before the goddess with his *chudder* flung across his neck, and his hands folded together. The priest congratulates him on this joyous occasion, and as he stares at the awful image, his face reddens with flushes of rapturous devotion; he falls prostrate in the *mundeer*; he mutters his grateful feelings, and distributes money to the sapient *poorohits* of that holy spot.

At nights when the rich baboos, far from the "toil and turmoil" of wordly affairs, recline on the downy musnuds in their *boytuckhanas* to enjoy the luxury of their fragrant *alboelds*, many an expectant takes this opportunity to pay his respect to them, and in order to conciliate their favor nods his assent to *whatever* they say. The visitants of ordinary condition (be they brahmins or soadurs) generally sit around these baboos, and while he inhales the gentle refrigeration of the punkhas

* These are the names of two very fragrant flowers.

or chews betel, stuffed with *mosala*, they watch his airs with the greatest degree of attention, and arrange their features to suit his humour. Should the baboo yawn, they all to a man ring the roof with the snapping of their fingers as a mark of their best wish towards him. Should the baboo be pleased to laugh, they instantly open their jaws and continue with him in this convulsive merriment as long as he does not assume a different aspect. Should the baboo, casting his eyes upon the sky, say, "I think we shall have a shower of rain just now, the atmosphere looks dim, and the stars have all been overcast by the clouds." "Oh how true is your supposition!"—is sure to be their answer; and if the rattling of any carriage or the rustling of leaves be heard meanwhile, they immediately cry out, "Hark! there is the concussion of clouds. There is the drizling of rain! Our baboo is gifted with prophecy, and certainly joins to his virtues all the accomplishments of a *man*." The conversation which the baboo has with these men is sometimes of a religious and sometimes of a political nature.

"I regret to find gentlemen," says the baboo, "that the establishment of English schools has in a great measure tended to injure our religion. I apprehend the English will make us all Christians in a *few years*. The blasphemous acts of a mischievous set of *college boys* have sullied our reputation, disgraced our noble *shastur*, "cooled our friends and heated our enemies," and what is worse than all, is, that they take a delight in devulging the secrets of our creed. What a sad thing this is! Government, I hear, have begun to resume rent-free lands; and by and bye they will deprive us of all we have. Why do they not at once say, "give us your whole property?" The institution of the Supreme Court has nearly exhausted all the *money of Calcutta;* and whatever the people have now in their hands will soon go to the pockets of the attorneys and the barristers, and we shall positively be reduced to a state of stravation." His courtiers sometimes interrupt him, and speak as follows, with a degree of alacrity in their gait, and importance on their brows:—"Oh! how judicious are your observations, Baboo! you speak all that is reasonable! Our English rulers have done us great harm. Nothing can be more revolting to our feelings than their order for not allowing our women to be burnt. The Supreme Court is surely instituted to ruin us. The Mofussil Courts are by all means preferable. There the zemindars and the rich baboos need not be afraid of their illegal acts. As long as they have money, there are innumerable ways of their succeeding in litigations. Our religion, we see, is going to moulder in ruin. We must have recourse to outcast, excommunicate and other severe measures for preventing it from crumbling to decay. We hear the Government are every day enacting new regulations. We can dive into their motives? They will dispossess us of all that we have, and make their religion the religion of the land. To make the Hindoos serve as jurors is surely a very bad thing; for what can be more impious than to swear every hour by the Ganga water? They are also fond of asking many frivolous questions to their baboo while he smokes a *chilam*, emitting the smoke in gentle placid clouds around, and as long as his eyelids are not closed with sleep—that "tired Nature's sweet Restorer,"—his attendants never refrain from displaying their proficiency in sycophancy, or speaking "*an infinite deal of nothing.*"—*Englishman, June* 1.

No. 5.

Among the bigotted natives, the procreation of children is a matter of very great consequence. It is on account of this that the practice of poligamy has become prevalent in this country, and those who are childless, in spite of having two or three wives, are considered a sort of sinful men. When a rich baboo does not get any issue, he often resorts to spells, *munters*, *jág* and *jurgoes*, which consist in performing some ceremonies and entertaining the brahmins with a variety of delicious eatables. He sometimes consults the *a chargies* (gipsies,), who subtle and crafty as a Meg Merrilies, declare their oracles by attentively examining the streaks of the palm of his right hand or making him touch with his eyes shut any part of the *mysterious* parellelograms chalked out by them on the ground, and sometimes permits his consort to eat drugs, simples, and other antidotes to barrenness that he may procure from the *sonnasees*, "eremities, idiots, and friars." The childless women are also in the habit of going to a place called *Tarokashur*, about thirty miles distant from the metropolis—so named from its being the abode of the god *Tarohashur* or Siva, where they lie down for days and nights without drinking or eating any thing whatever, and never return home until they have dreamed a dream favourable to the object of their pilgrimage. The Hindu shastur says, that those who are not fathers or mothers are sure to feel hereafter the horrors, of one of the hells known by the name of *poot*, and this combined with other considerations of a worldly nature, induces every native to adopt all the heathenish measures as a precaution against this dreadful punishment. Should a Hindu be blessed with a son, he becomes totally absorbed in *ecstatic* pleasures. He instantly gives the person who brings to him this message some pecuniary reward, distributes sweatmeats, fish, and curds among his neighbours and relations, and puts a few gold-mohurs in the soft hand of his babe, "mewling and puking in the nurse's arms," as he sooths his eager eyes with the gladdening sight of its face. On the sixth night a poojah takes place for prolongation of its life. A place adjoining to the room where it is born being purified with cow's dung, a couple of the family brahmins come there with some theological works, and keeping besides them the head of a dead cow, a churning instrument,

and a dagger, the representations of the goddess *Sosti*, who protects all children, busily recite their prayers with enthusiastic volubility to invoke a great many gods and goddesses, as also the immortal *Ossothama, Boli, Vyasa, Deba, Honoman, Visishuna, Carpachargo and Poorooshrama*, to encrease the prosperity and the comeliness of this new player in the "world's stage," whose sudden entrance with the lisping loveliness cannot but excite joy and rapture in every heart. It is said, that Biddátá Pooroosh, or the god of human destinies, comes this night to the child to write upon its tender scull the particulars of its good and ill luck, and the life of this new born creature, who is thought sometime to have been a

> Bright æral spirit insheperd.
> In regions mild, of calm and serene air,
> Above the smoke and stir, of this dim spot,

becomes variegated with happy circumstances or a scene of monotonous sadness as he is propitious or otherwise. A monster, Jora, is also worshipped with great veneration, which has arisen from the mandate of a Rajah *Yogadda*. The writer of the Mohavarat says, that this Rajah had two wives but had no children though he left no superstitious means untried to make himself blessed with a son. While in advanced years, he received a wood-apple from a sonnasee who requested him to give it to one of his wives to eat, but the Rajah, unmindful of his request, biesected the fruit and desired both of them to take each a part Shortly after the *ranees* became pregnant, and were respectively delivered of the half shape of a boy. At this time the monster, Jora, lived at *Magudda*, whose whole business was to devour all children that she could find. When she came to the ranees in the disguise of a young girl informed of their delivery, and saw these *strange* forms, she took them up in her hand and the moment they were in contact with each, they became all joined, and now a fine little boy presented himself to the sight of the spectators. This struck every one with astonishment. Nothing could be heard but shouts of alacrity and burst of animated cheers in the palace, and the face of the rajah, which had hitherto been clouded with discontent and grief, now shone with the radiance of joy The monster, Jora, hied to the rajah with the child, and he was so much overwhelmed with pleasure that he said to her, "Jora, you have done me a great favour which I cannot repay in any other way than by adoring you on this occasion; and I do hereby command the whole world to worship you on the sixth night after the birth of every child."

On the sixth all the neighbouring lads assemble before the room where the child is born, and taking in hand some winnowing fans containing eight species of parched peas and rice, beat them with small sticks as they sprinkle the *jolpaun* ont he ground, and rend the spot with obstreperous reptitions of an *abominable* language. Every woman who brings forth a child is oblige d to remain for a month in the room or the shed where she is delivered, and as long as a butta tree (Ficus Indica,) which is considered a sort of representative of *Sosti*, is not worshipped with turmeric, oil, plantains, betels, betelnuts, and other things, she cannot be absolved from her impure state, nor permitted to *even* approach the bedstead whereupon she bewitched her lord many a night with the rich profusion of her youthful charms. When the child becomes six months old, a feast, known by the name of *orno prasone* takes place, in commemoration of the *orno* or the boiled rice being given to it for the first time. In accordance to the invitation, a number of relations or friends come and partake of the entertainment while a member of the family taking the child attired in *chali* and gold and jewels upon his lap, puts into its mouth a little quantity of boiled rice mixed with congealed milk. The invited persons generally pay rupees to the child as a mark of their best wishes towards it. On this occasion the child receives two names one ràs and the other dak. In the selection of the latter the parents can exercise their own discretion but the former must always be prescribed by the poorohit upon astrological principles. He ascertains the exact hour of its birth, casts its nativity, unfolds by dint of his mysterious arts the whole book of its fate, records upon a piece of paper the different accidents that will befal it during every period of its existence, and thus prepares a correct and an accurate *horoscope*. The natives teach their sons when they are five or six years old. The persons whom they employ (usually on a salary of two or three rupees) are called *gooroo mohashoys*, and are totally destitute of the necessary abilities for developing all those splendid principles of our nature, both speculative and active. They do not pay the slightest degree of attention to watching over the associations and the erroneous impressions which the young minds of their pupils are apt to receive almost in every moment of their lives, nor can they themselves appreciate the advantages of *education* which, in the language of Milton, "fits a man to perform justly, skilfully, magnanimously all the offices, both private and public, of peace and of war." The Hindu lads learn their alphabets by writing them first on the ground with a species of chalk; they afterwards write on palm leaves the whole of the numerical table, *korunes, gundas, vorses, pones, khuhuns and chokes* which they repeat also twice a day, all standing in two methodical rows with a monitor at their head. They then learn on green plantain leaves all the rules of addition, substraction, multiplication, reduction of money and interest, and when they are found sufficiently advanced in this department of learning, they are taught to write letters and semindarry accounts upon small bits of paper. The gooroomohashors also make them pore over a few *slokes* (maxims) and *rotees*; and as soon as they

finish their *pautsala* studies, they are thought by their parents to have at once picked up all the shells from the great ocean of truth or falsified by dint of their *profound erudition*, that deliberate and philosophic saying of Socrates, '*All that we see is nothing composed to what is to be known.*'—*Englishman, June* 11.

No. 6.

In my last number, published some time ago in the *Englishman*, I gave an account of the ceremonies observed on the birth of the Hindoos, and also of their education *in pautsalahs*. I shall now proceed to treat of their *kurnobed* and marriage. *Kurnobed*, or the perforating the under parts of the ears, is of great consequence among the Hindoos, and until a person undergoes this operation, he must always be considered a very impure being, and the adults of his family will never take any eatables touched by him *Kurnobed* is performed in odd years. On the day when this great object of santification is to be effected, the father of the young man who is to have his ears bored, must purify himself either with bathing or changing clothes. He has then to sit himself on a *koosuson*, (a sort of very small mat made of *koosa grass*,) with his family priests in the midst of plantain trees cut into sections and matter a few *munters*, touching at intervals rice, clarified butter, flower sweetmeats, and other accompaniments of this *holy* transaction on account of the salvation of his ancestors. When this is concluded the young aspirant for *kurnobed* is made to stand on a piece of stone or wood, having four plantain-trees around him, and after he has bathed, the women of the house observe frivolous rites by shaking before him a dish, containing some solid cones of sizes made of pounded rice, lamp-black, and other things called *Shree* or goddess of fortune. The barber then comes with two needles or pins to complete the farce, and the moment he pierces with them the tender ears of his young Baboo, a succession of interjections pervades the place, and thus ends the *epilogue of kurnobed*.

"A happy marriage" 'says Addison' "has in it all the pleasures of friendship, all the engagement of sense and reason, and indeed, all the sweets of life;" but what a sad contrast does the marriage of the Hindoos present! They are more "intent on trains and equipages and all the showy parts of life"—on false distinctions of honor and *kool** and numbers of fooleries than endeavouring to secure any thing like the *genuine felicities* of matrimony. In Kooleen families marriages are contracted in very early years. A kooleen relation of mine was married to a girl of 3 or 4 months old, when he was 6 months old. While the priest was consummating this marriage with his solemn *muntors*, the bride and the bridegroom were both weeping, very likely being frightened at the novel situation in which they were placed. But they were soon beguiled by the capering of a goat, and their crying could be of no avail towards the postponement of the event. Among the Hindoos marriage is a matter of necessity, and I do not think there can be a single soul in that nation who would profess any adherence to the *Malthusian* doctrine. To remain a bachelor all the days of one's life, is an *obliqua* which is not only painful in the present world but is punished with severity in the world to come. The fathers, generally, choose matches for their sons through a third party called *ghotucks*, (who are notoriously versed in sycophancy and exaggeration) and are always ready to shew their preference to the daughters of those men who would present silver plates, gold ornaments, jewels, and other costly articles to their sons-in-law. Marriages contracted on this principle are not *marriages of love*, but *marriages of interest*. *Kooleens* of a higher class sell their daughters for 500 or 600 rupees, and sometimes for much more than these sums of money. In order to acquire a fortune, each of them marries three or four wives and looks up to the procreation of female children as the most profitable trade in the world. Before the celebration of marriage, it is customary in all families to enter into a sort of agreement called *puttro*, and sometimes into two, at two different times—the first specifying the names of the parties who are to be married, and of their respective parents; and the second, the precise date and time of the consummation of the marriage. Three or four days before the wedlock, the bridegroom and the bride are beautified at their respective houses with mustard oil, and both observe some ceremonies of a similar nature. The bridegroom sits on a mat in the midst of five or six married girls, who bring a *dullah*, containing a variety of fruits, &c. in contact with his head, place before him half a dozen of small earthen pots, the orifices of which he is requested to cover, in order to put an end to the quarrelsome and loquacious nature of his spouse, and taking upon his head a long thread, bring it down to his heels, when he walks over it, and from which it is concluded that *he has at last* passed the thread of bachelorship. Another thread is then tied with some blades of *doorva grass* on his right hand, and after he has shaved his head and bathed in a small place, surrounded with four plantain trees, the same girls shake before him the *conic* representation of *Shree*, or goddess of fortune, and put the scissors with which the natives cut their betel-nuts in his hand. The bride observes similar rites at her father's. She also shuts small earthen pots, in order to check the supposed fierceness and the turbulent spirit of her husband, and holds a *kajulmala*, (or a small iron case which contains the black tint with which Hindu females daub their eyelids) in her hand instead of the *nut crackers*. It is from this day that joy and festivity begin. The parents of the bridegroom and the bride invite their respective male and

* Kool means a distinct of rank in cast.

female relations, and entertain them with hot spiced *polovvo*, richly dressed *dum*, sweet flavoured *purmanno*, fish cooked in different ways, vegetables fried in clarified butter, *peetahs* dipt in sugar, and all that variety of luxurious food which the natives are always eager to transport into their alimentary canals. The relations in return make presents of clothes to the bridegroom and the bride, and sometimes invite them to take sweatmeats, &c. at their houses. On the day of the marriage the bridegroom abstains from taking meal, but drinks milk, and eats one or two *sundesses*. In the morning a member of his family performs a ceremony called *biddi sarad* in the same manner as done before the *kurnobed* operation. As soon as the "nuptial hour draws on a pace," the bridegroom clad in *crimson cloth*, armed with the scissors described before, and if rich, adorned with gold and gems, is taken before his joyous mother, who as usual asks him "*bappoo* whether dost thou go"? "To bring your maid servant" answers the son with blushes on his face, and comes away from the inner apartment thrilled with rapturous emotions from the distant pleasures of matrimony. Now the dhoolies begin to beat their dholes; the turbanned *rosun-chowkees* blow their tinkling *sahnys*; the *Feringhee* musicians play the *Inarajee-baza*; and the *assabordars* and *sotaburdars* being placed in two methodical rows on the two sides of an artificial *Hymelim*, at the top of which sits a Siva with his beloved wife on a bullock in the midst of "hydras and gorgons and chimeras dire" of an artificial spacious hall glowing with the splendour of mica, of a peacock-mouthed boat, or a *mowoor pungkhee*, the crew of which dressed in red and rudder in hand sing many indecent songs, and of *tucktaravvans* for *bahees* and masqueraders, the bridegroom takes his seat in a *sookashon*, accompanied by four boys standing around him with *chumar* and *mowoor chobe* in hands. In the formost of this procession rattle two *chulti nabuts*, and the invited baboos moving with solemn steps, form the last part of it. Should the marriage take place at a late hour of the night, two ranges of men carrying flambeaux and lighted candles, contained in shades of mica, fixed upon bamboo sticks, are added to the tamasha and pyrotechinic exhibitions are sometimes resorted to. When this tumultuous rabble reaches the destined place, and the bridegroom alights from his lofty *sookashon*, he is requested by a man of the bride's house to cut a couple of betel-nuts which she has been putting in her mouth from morning. This being complied with, the young men of the neighbourhood flock from all parts to extort a few rupees from the bridegroom's party, on account of *gram vattee*, or tax, in honor of the place, while the *vauts*, attired in flowing robes, attract the attention of the audience by repeating different sorts of verses. Discussions relative to divinity and theology are also carried on for some time by the sapient *bhutta chargees* with unabated vigor, and the young relations of both parties take this opportunity of displaying their proficiency in English philology and Bengallee arithmetic in catechising each other. He who fails to parse a given sentence properly or solve an arithmetical question, is instantly put down by the assembly, while shouts of acclamation and *bha! wahs!* are showered upon those who prove themselves *victorious* in the contest. Amidst the warmth of this intellectual warfare a brahmin appears with a number of garlands and a great quantity of the powder of sandal wood, and usually asks "who shall first receive the garland?" On this there being no unanimity, much dispute and vituperation ensue, but are generally put an end to through the intercession of old and experienced persons.

The bridegroom is then taken away from the musnud arrayed in new clothes to his wedding place, where his father-in-law and the *poorohets* sit around him. The presents which are made him on this occasion by his father-in-law, chiefly consist of a cot, fitted up with complete bedding, a few silver and brass pots, two gold rings, two *balahs*, or golden *haur*, and sometimes pearls and diamond rings, &c. After the bridegroom has muttered a few *munters* preparatory to his marriage, he is sent into the inner apartment with a brother-in-law of his, and it is at this time that fears and alarms seize his heart. The moment he is ushered into the *zenana*, a bevy of beauty amaze him with their glittering attire, tinkling ornaments, occasional glances, hoarse cachination and vulgar jokes.

He stands on a little elevated place in the midst of a compound, and his mother-in-law with the assistance of some other females observes here a great many superstitious practices of a *really ludicrous* nature. Six or seven women first of all make seven circuits around him, throwing water as they move, compounds of rice and jaggry are flung upon his body, lighted sticks and lamps are shaken before his face—a lock is shut before him that his mouth might likewise be shut from using any ill-language to his wife. His hands are bound together with a shuttle, and he himself is requested to cry *bah* like a goat, after a woman has repeated the following usual couplet—

> "With money we have bought, with ropes have bound, in the hand have put a shuttle,
> Now do you cry *bah*, bappoo*".

Other ceremonies of a secondary nature are added to these while the bride attired in silk and gold is brought into this scene of gaity and merriment on a piece of wood by two or three men. A cloth is then flung upon the head of the bridgroom and the bride, when they are permitted to see each other for the first time. The surrounding *gentle* attendants now tie their clothes with as much tightness as

* A term of endearment.

possible, and never fail to exhibit their vivacity and facetiousness in pulling the bridegroom by the ear and giving him slaps, jerks, and blows. They are also very apt to crack sarcastic jests as to his comeliness, dress, and ornaments, and regarly carry on with him for some time a war in puns, wit, and vulgar jokes. When this diversion comes to a close, the happy pair are taken to the wedding place, where an additional number of munters are being muttered; the hands of the bridegroom and the bride are being joined; a red cloth called the *cloth of shame*, is being again flung upon their heads, and some *khoee* and *cowries* are being burnt, they are again sent into the inner apartment. The same girls now come again in a circle around the bridegroom and the bride, and entertain the former with a variety of delicious eatables, which he is generally forbidden by his family, to take. In order to adapt the spirit of their levity to their own disposition they manufacture some artificial articles of food, and play tricks with the bridegroom, (the butt of their company) by persuading him to taste them. Shortly after the happy pair are conducted into a bed room, where these girls so plague them with unpleasant talk and vulgar jokes that they can never have any opportunity to exchange one word with each other.

After the celebration of the marriage, the father of the bride gives a feast to the wedding company. The next morning the bridegroom and the bride are annointed with turmeric and oil, and both bathe in a little spot described before. A few ceremonies are then performed by the women, expressive of their joy and benediction to the happy pair, and when they are seated on a carpet each member of the house pays a rupee or two with some grain and *doorva grass* as a mark of blessing. In honor to kooleens of wedding company, the father of the bride presents them rupees according to their rank in caste, and the bridegroom falling prostrate before the household deity, and his father in-law takes leave of them. The bride and her mother weep most bitterly at the time of parting and no hopes—no consolation can assuage their grief. When the bridegroom sits in his *sookashon* the same procession with the addition of a few artificial flowers, statues, and new sceneries suited to the *spirit of the time* moves before him. On arriving at his own house he is at once taken with his bride into the inner apartment, where a few rites purporting to be nothing but wishes for the increase of the felicity of the happy pair are being observed; the females of the house and of the neighbourhood make a most vehement noise by the shaking of their tongues and present them rupees compatable to their means. I have heard that the *Soonar Bania*, (a lower order of Soadras) mix the blood of the bride and the bridegroom on this day, in order to unite their hearts with inseparable ties of love. The bridegroom on the second night of his marriage is not allowed to sleep with the bride. On the third day the father of the bride presents sweetmeats, flowers, spices, clothes, fruits, &c. to the bridegroom's family, who distribute them in the neighbourhood, and thus pass a week or two with pleasure and festivity.

When the bridegroom and the bride sleep at night, the girls of the house lie in private parts of the bed room. Nothing can be a subject of greater interest to them than the talk of the happy pair. Musquitoes may bite, bugs may torment, and gnats may sting them, but the pleasure of overhearing a word from any one of their lips outweighs all these pains. The next morning the bride takes off the thread fastened on the hand of the bridegroom. Other ceremonies of a minor nature are ministered to complate the gratification and the superstitious customs of both families who absorbe their attention for a long time in sending presents to each other on every poojah and Hindu *purub*. The bride has sometimes recourse to drugs, shells, incantations, and necromancies to captivate the heart of her husband; and no hope can be stronger in her mind, than

"For quiet days, fair issue, and long life."

November 13, 1836. [*Englishman*.

GOOMSOOR.

In our paper of the 12th instant we gave some account of the proceedings of Government against the Zemindar of Goomsoor. The following extract from *Hamilton's Gazetteer* which a correspondent of the *Courier* has kindly brought to notice, forms an excellent appendix to our article under reference, and at this time will no doubt prove interesting to our readers.

In 1804 this estate stood rated in the revenue records as containing 506 villages, with an estimated population of 66,046 persons, and assessed to the land tax 21,248 pagodas; but the proprietor, although in regular subjection

to the British authority, so long as he paid the stipulated rent, had been little interfered with.

When originally transfered to the East-India Company, several of the best informed public functionaries were of opinio
ing to the peculiar delicacy
full authority of the courts
mindaries situated on the frontiers
the high lands, it would be
regard the proprietors rather as tributary chie
tains, than as ordinary subjects amenable
the usual process of the courts of justice. In progress of time, however, the population generally, and even many of the zemindars, have been forward in bringing their matters of litigation before the regular courts, and have subsequently submitted to the decrees without murmur or resistance. The Goomsoor chiefs had long remained nearly independent, and might have continued so had not the enormous atrocity of their conduct compelled the interference of the British government.

In 1815 a charge of murder was brought against the zemindar Dauoongjoy Bunje by his father, who for his own previous crimes had been deprived of the zemindary, and a reward proclaimed for his apprehension. An investigation in consequence took place, when it appeared from the evidence of the surviving females of the seraglio, that the zemindar Dauoongjoy Bunje, in 1814, became impressed with the idea that his wives and the female part of the family had conspired to deprive him of his life, with the view of setting up his eldest son, named Bulbudee Bunje, as zemindar of the country. Under this alarm Dauoongjoy confined a great many of his wives, concubines, and slave girls, most of whom, from the inhuman treatment they received during their imprisonment, died on the spot. The survivors deposed before the magistrate that they were all chained to a log of wood placed in the centre of two rooms, with holes large enough for two legs; that being thus seated in pairs opposite to each other, each having one leg in the hole of the log, they were secured by a wooden pin; but the remaining legs were placed on the top of the log, chained together in irons. Several of them declared (one being only thirteen years of age) that they had witnessed the death of the person to whom they were chained and had been kept with the corpse until it had become putrid and covered with worms, and as the marks on their limbs proved they had undergone at least some part of the cruelties they had asserted, the black and malignant nature of the zemindar's disposition rendered the rest extremely probable.

Orders were in consequence issued to seize Dauoongjoy, and to dismantle the strong fortress of Kolaida, which fortress, although within fifty miles of Ganjam, the zemindar repeatedly asserted existed only in the imagination of the magistrate. When attacked, however, in May 1815, by a small detachment of the Madras army under Col. R. Fletcher, it was found to be of such extent and strength, that the troops during their stay were only able to destroy the stockades and houses. From thence the detachment proceeded in pursuit f the zemindar to Jarang, where they did not ucceed in effecting his capture, but had the fortune to effect the release of about one hundred men who were found in irons, besides women and children, and others were reported to have been put to death on the approach of the military.

Anxious to establish or confute the assertions of the female witnesses, the magistrate determined to visit the gloomy fortress of Kolaida, to examine a well in which it was said the bodies of those who had died in confinement had been thrown, and to collect further information on the spot. The well being pointed out by two female slaves, who, according to their own account, had been employed in putting the dead bodies there after six hours' diging, finger bones, ribs, and other parts of the human frame began to make their appearance, intermixed with earth; and after a further lapse of time, a great number of skulls and bones were met with. In excavating to the depth of twenty-four feet, eighteen entire skuls were thrown out and an immense pile of bones collected, from the condition of which there was reason to believe the bodies they appertained to must have remained a long time in the well, as all the flesh and hair were gone, and nothing remained perfect but the bones and teeth, the whole corroborating the depositions as to the fact of the bodies having been thrown into the well. It appeared also that the zemindar, apprehending a research of this nature, had ordered two of his dependents to dig the wells and remove the bodies, wich had actually been done (as they confessed) into another well. Three human skulls, with a quantity of bones, were also found in the fortress of Kolaida by the officers of the detachment, close to five stakes wedged into the ground, which had every appearance of a place appropriated to confinement and torture. In fact, the hill zemindars of the Northern Circars had long been accustomed to exercise despotically the power of life or death, and also to levy contributions through the means of a desperate banditti. The present consequently seemed an excellent opportunity to make an example of a most atrocious petty tyrant, who subsequently emerged from the jungles, to which he had fled, and surrendered himself; but it does not appear that he ever suffered the punishment due to the enormity of his crimes.

By the third paragraph of the above extract, where it is stated, that the fortress of the Zemiddar of Goomsoor, although within 50 miles of Ganjam, was repeatedly asserted by him to exist only in the imagination of the Magistrate, it is clear that our ignorance of these tracts was great, and that we may well

call them *terra incognita*. The cruelties practised by these Zemindars certainly palliate the interference of Government in the management of them, even at the point of the bayonet; but how much better would it have been to have prevented the commission of such crimes, as are mentioned in the above extract, by the mild influnce of civilization, by means of a free communication with these people, on which subject we have already commented. It would seem that the only object Government had in view, was the realization of the tribute, beyond which it never extended its thought. "The proprietor, so long as he paid the stipulated rent, was little interfered with." No effort was made to inform him of what we were, nor to know what he was. The tribute was all we wanted, with the rest we had no concern. Now, behold the consiquences of this truly LeadenHall policy!—*Reformer, February 26.*

POLITICAL ECONOMY.

There is one great principle of political economy—for economy in political, no more than in private, life, means privation; that so far from being recognized and acted up to, by statesmen, and rulers, appears to have been not only set at naught, but directly opposed, as hostile to the welfare of the ruling authorities. The maxim we would propound is this, that in every state, there should always be two steps between the ordinary food and clothing, of the population at large, and absolute nakedness and starvation. Nature has ordained that man shall be capable of life, that his existence shall be sustained, by the same sources as that of the brute; and the mistake of the great majority of governments has been, to consider the extreme poverty of the people, perfectly consistent with the prosperity of the state. We cannot but suppose that rulers have acted upon this certain fact.

> Allow not nature more than nature's needs,
> Man's life is cheap as beast's.

and on the strength of this position, it has always been the aim of the ruler, to lower down the scale by which the food and raiment of the subject, was to be adjusted. But if you make man's life as cheap as beast's it will necessarily follow that you make him approximate the beast in every other respect. We speak here of the population in the mass, for it cannot be denied that the ruler of a nation of cynics, might find them contented to live as cheap as beasts; this their philosophy might teach them to sustain; their pride to glory in; but we very much question whether such a race would be content to work, and toil, and be taxed, every man in his own tub; in order that the ruler might fare sumptuously every day, and be clothed in purple and fine raiment. When a tub and a blanket, are assumed on the voluntary or philosophical principle by a whole nation, the only chance of obtaining the sceptre and dominion over such a generation, would be to renounce the tub, and stand erect in the original nakedness in which man is created. But such a state of independence of creature comforts, is inconsistent with man's nature, and is in fact more artificial, than the most refined and luxurious mode of life. The reasoning by which a stoic brings himself to renounce the comforts of existence, is founded in absurd sophistry; and can only exist where it is sustained by the vain affectation of singularity, or the pride of affected contempt. When Diogenes trampled on the luxurious carpets of Plato, exclaiming, "Thus I spurn the pride of Plato," the reply was perfectly true to nature, "with greater pride." It is not likely, therefore, that a nation who renounced the comforts of life, from pride, would consent to toil and labour in order that others might be furnished therewith in superabundance. We may safely conclude that mankind at large would not live in want and destitution if they could help it, and we have now to examine the policy of that system of government, so prevalent among the rulers of the earth, which seems to be based upon the knowledge that if a government

> Allow not nature more than nature needs,
> *Man's* life, is *cheap* as beast's,

It must be on the supposition that when a people are content to be reduced, and are reduced to this cheap state of existence, the "superflux," the produce of their labour, which will be derived to the state, will be in proportion larger, than if part of the produce of the labourers toil, were applied to the improvement of his comforts in respect of raiment, food, and habitation. Hence the great problem of which rulers have always sought the solution, as the first principle of good Government, has been to ascertain to what extent of misery, privation, and want, the subject may be reduced, consistently with his ability to toil, and the endurance of his patience. It is to this cause, and the much abused forbearance of human nature, that

has been chiefly attributable all the famines and epidemic want, that have ever afflicted whole nations. It is this cause that keeps Ireland in a state of what may be termed protracted starvation. It is through this cause that famine has so often desolated the nations of the East. Men are taught, or compelled, to be content with sustenance between which and starvation their is but one step—that sustenance obtained too, by the sweat of the brow. Hence, when from natural causes there is a failure of the ordinary sources of subsistence, or from failure of corporeal strength, the labourer is unable to attain it: he has nothing to retreat upon, and if he has been taught, or compelled, to live as cheap as a beast, he is then compelled to die like a beast, for want of those resources which the faculty of forsight or providence, with which he is endowed, but the beast is not, would have laid up, had he not been rendered incapable by his rulers of exercising that faculty which he has beyond the brute. Thus perish whole races of men, because they have been taught to aspire to no better mode of life than that which is "cheap as beasts;" but we think it will not be difficult to shew, that it is both for the interest of the ruler as well as the the people, that the latter should be encouraged to aim at something more than the bare brutish sustenance of nature, rather than to be satisfied with only that which nature need. It has been the encouragement of this baneful and degrading principle, the companion and coadjutor of tyranny, that has occastoned the fairest climates, and the most generous soils on the face of the earth to be inhabited by the least elevated of the human race. Where nature has done all for man, man has been taught or compelled, to do nothing for himself, or all for another He has been taught to make his life "cheap as beasts," and such has been the case in this country among the rest. We are taking measures to disseminate knowledge and spread education, and we are wise, as well as benevolent in so doing; but concurrently, if not prior there to, we ought to be endeavouring to raise the estimate in the native mind of those essentials to civilized existence, which it is true make man's life a little dearer than that of brutes, but which, looking even at its mere sensual exemptions from distress, render human life far more valuable than that of beasts. The misery that prevails in Ireland, is chiefly owing to the circumstance that the life of the peasant is as cheap as, nay cheaper than, that of his pig, or his beast which domiciles with him under the same roof; it is on the lowest scale consistent with existence. He cultivates three different kinds of potato, of three several degrees of worth as an article of food; the two first he sells to pay his rent, and on the third and worst he subsists himself and family; if the third and worst fail him, he starves; his pig is fed, his rent is paid and he himself starves; he has nothing to retire upon in the article of food, he cannot devour the earth itself, and after lingering for a time on the roots and weeds, the spontaneous production of the soil, he dies. Now let us suppose that the peasant both in this country and in Ireland were taught and encouraged to consider something beyond "life cheap as beast's" essential to human existence; to respect himself so much as to think that being elevated by nature above the beast, in the scale of creation, it cannot be consistent with any rule of law divine or human, that his life *should* be "cheap as beast's." If the peasant, whether of Ireland or of India, instead of being depressed by the arm of power, were encouraged to respect himself, and insist upon such wages for his labor, as would afford him food and raiment above the wants of brutes, let us contemplate a little what would be the consequences. The landlord, whether that landlord were the Government, or an individual, would be deprived of a certain portion of the rent from his estate, in which case the individual would probably be curtailed of some of his luxuries; but the Government, would not suffer at all; but the contrary. Let us suppose that every Irishman could be taught, and encouraged to consider himself entitled to live one or two grades above starvation, in respect of food, rags in respect of clothing, and a hovel in respect of habitation. Let us suppose the same individually of the millions of this country. Every additional comfort which he furnished himself with, would contribute to the benefit of some portion of manufacturing or other industry, in the aggregate, amounting to a consumption compared with which, the demand of the wealthy few, however extravagant, would be trifling and insignificant. If every peasant of India considered himself, as undoubtedly he is, in a condition below the natural wants of man, and was encouraged so to consider himself; if he were instructed to raise his own estimate of what is essential to his existance as a man, distinguished from beast, his own industry would be stimulated to improve a condition so degraded, and the endeavour on his part so to do, would be felt in every manufacturing town in Great Britain. But in this country, as in Ireland, the peasant is made to regard himself as entitled to better subsistence than the beast of the fi In Ireland the consequence is, that the landlord gains for luxury, by the *privation* of the labourer, precisely so much as trade and manufacture *would have gained* from the *comfort* of the labourer. The natural rent of land is that which *at least* will give the labourer a subsistence corresponding with man's nature; what the landlord takes beyond this he takes, not alone from the cultivator, but from the manufacturer, who supplies those articles of subsistence which are the natural wants of man. We are neither advocates for arbitrary laws which would fix a *minimum* rent, they would be unsound and unwholesome; neither are we advocates for rebellious opposition to landlords or Governments; but we say, that every Government would find it its best interest to encourage in

the labourer, the source of all wealth, a respect for his own nature, and a consciousness what he is entitled to, as a human being. What we would maintain is, that it is, perhaps, the first interest of a Government that the labourers, who produce the wealth of a nation, should esteem themselves entitled to better sustenance and better shelter from the inclemencies of the seasons, than will barely keep them alive for the purposes of labour. It was not merely humanity—though he overflowed with it, that induced Henry the 4th to express a wish that every peasant in his kingdom should have a poulet in his pot; he knew very well, that the comforts of one million of labourers, cannot be enjoyed without contributing to the comforts of another million of labourers. It would be by the full carrying out of this principle, that states and nations would enjoy real wealth; by a reciprocation, by which if we may so say the exchange of labour would be at par, in all its gradations, corporeal, manufacturing, and of every description. This is the great *desideratum* in all good governments, and in order to attain this, Governments should be far less apprehensive that the peasant should rebel against the extortion that "makes "man's life cheap as beast's", than that he should quietly submit to it.—*Calcutta Literary Gazette, March 26.*

THE DUTIES OF COLLECTORS.

So much has been said regarding the multifarious duties which the above denomination of public functionaries have to perform, that it is needless at present to enumerate them: suffice it to say that those who are best qualified to judge of the nature of these duties, are agreed in the opinion that no one man can get through them all in an efficient manner. Whilst things continue in this state, we find the Court of Directors sending out orders to hold the Collectors personally responsible for malversation in the Stamp and Abkary Departments, and for treasury defalcations. We are not prepared to say that this order, considered by itself and without reference to the situation of the Collectors, is unreasonable. The interest of the Government certainly requires such a protecting rule. But to make such an order practically useful, the Collectors must be placed in a situation which will enable them to exercise that control over the duties of their office, without which their proper performance cannot be secured. As it is, the Collectors are obliged to place undue confidence in their ill paid native Amlahs, whose character for probity has been sufficiently exposed in these pages to need any mention of the danger which the public interest incurs in being placed under their management. To ensure an efficient discharge of the various duties entrusted to the Collector, he must personally inspect all accounts and see every thing in detail connected with his charge, or provide himself with a better class of Amlahs: it is then that he can hope to secure himself against these dangers and be capable of meeting the views of the Court communicated in the orders we are alluding to.

There is another circumstance which adds considerable difficulty to the proper performance of the duties of the Collectors in the Abkary department. This is the character of the *soories* or wine merchants, from whom the revenue has to be collected. These people, owing to the rules of caste, are always of a low grade, and move in extremely low and vulgar society. They are, therefore, very frequently unsubstantial people, and the securities which they can furnish being from the same class, are also as unsubstantial as themselves. It is this which leads to so many defalcations in the Abkary department; but these are circumstances of detail of which the Court of Directors are not aware, or to which they do not attach sufficient importance. Their judgment is perhaps formed from what they see around them in England, a Palmer, a Marjoribanks, an Alsop, &c. &c, men of the highest mercantile credit in the country, who have a character to support, and much to lose, and from whom, therefore, there is no loss to be apprehended. Could India boast of wine merchants of one tithe of the substance and character of these people, the case in the Abkary department would be very different. The only look-out of the Hon'ble Court would seem to be the security of their property; this accomplished, they leave the rest to chance, and let their poor servants in India shift for themselves, the best way they can.

Under existing circumstances, every allowance ought to be made for deficiencies in the revenue, and considerable indulgence shewn to the public functionaries who are entrusted with the collection of it. The appointment of more labourers in this extensive vineyard is absolutely necessary to the proper performance of the work. The strictest rules and the most positive orders will prove futile, if steps are not taken to relieve our Collectors of a part of the duties which at present devolve upon them; for it is morally impossible that they can get through the whole in an efficient manner.—*Bengal Herald, Feb. 19.*

TRIBUTE TO GREAT BRITAIN—INDIAN REVENUE COLLECTIONS.

During the first two years of the present Charter, it appears that the remittances to England from the Revenues of India have amounted to the amazing sum of six millions sterling, or six crores of rupees; and the remittances which will probably be required for the two succeeding years, if we remember aright, have been officially stated at six millions more. The expenditure of the Presidency of Bombay, charged as it is with the support of the Indian Navy, is rather in advance of its resources. At Madras the receipts and disbursements are ordinarily equal; though upon any unforeseen emergency, the latter probably exceed the former. The Presidency of Fort William, consisting of Bengal and the Western Provinces, alone enjoys a surplus income; and the drain to which India is annually exposed, falls therefore exclusively upon these provinces. Our annual revenues may be stated upon the last published reports, at Fourteen crores of rupees; hence the remittance made to England amounts to more than *a fifth* of the entire income of these provinces.

When the Ninth Report of the Select Committee on India was drawn up under the superintendence of Burke, soon after the Government of Bengal had begun the system of furnishing the annual commercial investment from the revenues of India, that great statesman did not hesitate to characterize this evacuation, as he termed it, which at the time did not exceed Twelve Hundred Thousand Pounds Sterling, as an annual plunder of its manufactures and produce. What would have been the feelings of that illustrious man if he had lived to our times, and witnessed the change in the East India Company from the commercial to the imperial character, which is distinguished chiefly by an increase of this annual evacuation from a little more than a million to three millions sterling?

The arrangement, by which so large a portion of the annual revenues of India is transmitted to a distant country, for objects which must be confessed to be more English than Indian, we owe to the Whig Ministry who guided His Majesty's Councels at the renewal of the Charter. A Tory Ministry would, we fancy, have made a better bargain for India. They would equally have felt the necessity of yielding to the wishes of the age, and relieving the East India Company from the trammels of commerce; but they would scarcely have saddled this country, through the long period of the renewed Charter, with a tribute, which must necessarily enfeeble the local administration, and present the British Government to be natives in the odious light of an alien power, whose interests could not be identified with those of the people under their rule. They would scarcely have inflicted on India all the evils of *absenteeism* in its most aggravated form.

To suppose that so large an annual abstraction of revenue, without any corresponding return, is not detrimental to India, would be altogether gratuitous. Let England make the case her own. Suppose England subjugated by some distant and foreign power, and obliged, under one denomination and another, to transmit a similar proportion of her revenues, that is to say, *Nine Millions* sterling annually but of the country, would not this depletion be found to affect her strength? With her unrivalled resources of intellect, skill and capital, would not this annual abstraction of her resources still have been deplorably visible in her exhausted frame? And, if such would be the effect in a country filled with life and energy, how much more fatally must such an arrangement be felt in a country like this, which is deficient in all those elements of prosperity which England so richly enjoys?

England is not dealing fairly by India, in thus abstracting its wealth year after year, and depriving the public administration of the means of carrying forward that system of amelioration, for the accomplishment of which alone, can we suppose that the trust of this Government was committed to us by an overruling Providence. While so large a provision must be made for this annual drain, all idea of internal improvement adequate to the wants of the country must necessarily be suspended. Roads, bridges, canals, rail ways, even the education of the people, cannot be taken up in a manner worthy of a great and benevolent Government. It would not be too much to expect that at least one-twentieth of the revenues of this country should be devoted annually to objects of local utility; but under existing circumstances, not even one per cent. of the revenues can be applied to these national objects. The Government is necessarily carried on from hand to mouth; every item of expenditure, which is not indispensable to the strength of Government is begrudged; and national exigencies are unheeded. Who can calculate the benefits which would be conferred on India, if only a fourth of the sum now transmitted to England were expended in the country itself on objects of unquestionable improvement?

This abstraction of these funds, has a natural tendency to create disquietude among our native subjects. They are not unconcerned spectators of these remittances. They reason upon the matter with shrewdness, and the impression left on their minds is, unhappily, to our disadvantage. It is

impossible to conceal these circumstances from them. We cannot blind their eyes to the fact that by the provisions of the New Charter, the revenues of India were hypothecated to indemnify the Company, for twenty years to come, for the abolition of their commercial privileges; and it is impossible that they should not perceive that in this arrangement the interests of India have been sacrificed to those of England. We are much mistaken if this fatal measure be not found eventually the source of much bitterness and embarrassment.—*Friend of India, March* 23.

There is a certain subject upon which the *Friend of India* deems it necessary to descant at intervals, as if bound to do so by its own title; but in our humble judgment our contemporary is no *Friend of India* in treating it as he does. Under the head of "DRAIN UPON THE RESOURCES OF INDIA," he gave out last Thursday a Jeremiad against the "fatal" policy of "the arrangement by which so large a portion of the annual revenues of India is transmitted to a distant country for objects which must be confessed to be more English than Indian" This, says our contemporary, "we owe to the Whig Ministry who guided His Majesty's Councils at the renewal of the Charter. A Tory Ministry would, we fancy, have made a better bargain for India;"...," they would scarcely have saddled the country with a tribute which must necessarily enfeeble the local administration," &c. What does our contemporary mean? Does he really believe that the Tory party would have taken from the Company their accumulated Commercial profits, nearly all represented by property in England or afloat, without allowing them any equivalent? Does he imagine that the Tories would have taxed England with the payment of interest on the India debt, or with the Military pensions or with the cost of all Military and other Stores sent to this country? or that they would have passed some law to prevent Europeans from saving money in India, or at least from withdrawing their savings or the interest thereof on their own retirement?

"England is not dealing fairly by India, in abstracting its wealth year after year, and depriving the public administration of the means of carrying forward that system of amelioration, for the accomplishment of which alone, can we suppose that the trust of this Government was committed to us by an overruling Providence. While so large a provision must be made for this annual drain, all idea of internal improvement adequate to the wants of the country must necessarily be suspended. Roads, bridges, canals, railways, even the education of the people, cannot be taken up in a manner worthy of a great and benevolent Government. It would not be too much to expect that at least one-twentieth of the revenues of this country should be devoted annually to objects of local utility; but under existing circumstances, not even one per cent. of the revenues can be applied to these national objects. The Government is necessarily carried on from hand to mouth; every item of expenditure, which is not indispensable to the strength of Government is begrudged; and national exigencies are unheeded. Who can calculate the benefits which would be conferred on India, if only a forth of the sum now transmitted to England were expended in the country itself on objects of unquestionable improvement?

This abstraction of these funds, has a natural tendency to create disquietude among our native subjects. They are not unconcerned spectators of these remittances. They reason upon the matter with shrewdness, and the impression that on their minds is, unhappily, to our disadvantage. It is impossible to conceal these circumstances from them. We cannot blind their eyes to the fact that by the provisions of the New Charter, the revenues of India were hypothecated to indemnify the Company, for twenty years to come, for the abolition of their commercial privileges, and it is impossible that they should not perceive that in this arrangement the interests of India have been sacrificed to those of England. We are much mistaken if this fatal measure be not found eventually the source of much bitterness and embarrassment."

There is much fallacy in the argument that India is actually impoverished by the annual remittances to Europe. Abstractedly considered, it would be so, but commerce and the beneficial influence of a strong Government render the tribute (to call it so) comparatively light, and infinitely more tolerable than such a state of distrust and internal war as existed a century ago. The bargain too, which our contemporary so much condemns, but which we maintain the people of this country have no reason to complain of, is a thing done and irremediable now. Then why hold it up as a fatal measure" and "the source of much bitterness?" Why *promote* discontent?—*Calcutta Courier, March* 24.

The *Courier*, in taking to task the *Friend of India*, on the subject of an article in the latter paper, entitled Drain upon the Resources of the Country, says: "there is much fallacy in in the argument, that India is actually impoverished by the annual remittances to Europe. Abstractedly considered, it would be so, but commerce, and the beneficial influence of a strong Government, render the tribute comparatively light, and infinitely more tolerable than such a state of distrust and internal war, which existed a century ago."

Now it strikes us that there is much more of fallacy in these comments of the *Courier* than in the dissertation out of which they arose.

India would enjoy all the advantages she now derives from her commerce with European, and other foreign states, without giving to England the annual tribute of the three crores; her commerce, as we apprehend the matter, depending in no degree and being altogether independent of this compact, struck up between Ministers and the Company. And the Government, would certainly not be rendered weaker, by retaining in its

hands, for the more legitimate purposes of benefitting the tax-payers, the three crores now disposed of in payment to the Company of ten pounds ten shillings per centum per annum, on the present account of their capital stock, as the Charter quaintly has it.

Whether, therefore, the Government retained the three crores annually in its own hands, or remitted to the people so much of the present collections, it is impossible to see, in either event, how it would not be quite as strong as it now is; and the payment, as it now does, of this sum annually to the Company, cannot be held to increase the strength of Government; and then arises the question, whether or not this Government is likely to continue as strong, as it now is, provided the annual payments of three crores, is kept up, or exacted, pursuant to the terms of the charter, for the next 18 years? and if not, what remedial measures can be had recourse to, to avert, from Government, the evil consequences concomitant upon the fulfilment of this bargain, so improvidently made by Great Britain with Leadenhall Street. Surely, the drawing attention to the consideration of this interesting subject, cannot be called provoking discontent? It is, the constant sale of lands for arrears of *jumma*,—the purchase of such lands, at a wretchedly inadequate price, by a corrupt umlah, and the extortion, harassment and misery entailed in consequence on the ryots, terminating not infrequently in a general abandonment of the mouzas and villages, and a retreat to the hills—this it is that properly may be called provoking discontent; and the fault is not apparently in the Government. Such is at present, and has been for years, the pressing demand on the executive here for *tribute*, that all future considerations and consequences, appear merged in the anxiety to satisfy the present craving necessities. On collections are concentrated the whole care and attention of our Argus-eyed rulers—breathing time is not given to them to turn themselves about and devise a remedy. Revenue must be got in, and whether at the sacrifice of the future value of the property of the country or not, is not a question they can permit themselves to entertain. The authorities at home, to whom it is an easy task to impose laws, leaving, as they do, the more difficult one of carrying them into effect to their officers here, have directed where a sale takes place on account of revenue arrears, that every zemindary tenure should be purchased on the part of Government, and then settled with the ryots on the *ryotwar* principle. Now, without making at present any comments on the expediency or wisdom of such a measure, the intention of it was clearly to operate as a relief on the cultivator, to rescue him from the exactions of his zemindar, and to give him for task-master the Government in lieu. But this order, we are informed by the report of the committee of the House of Commons, published in 1832, has had little practical effect in the Bengal Presidency. "Although," says the report, "such purchase and resumption of the right to manage the land revenue, is the best mode for the Government to acquire the power of effectual interference in behalf of the ryots the *sacrifice of money requisite for the purpose*, would be so great as to impede the working of the system, if the sales of zemindarries for default of payment were numerous and extensive." There's the rub! The sacrifice of money is too great, and in this particular, as in most others connected with the improvement of the condition of the people of India, the *sacrifice* of money is too great, to admit of carrying into the effect the good intentions of Government. The revenue must be got in and collected; and the above sufficiency is left for the expenses of Government, the surplus is sent to pay a ten guinea dividend to the holder of East India Stock. Under such a state of things, it is, we consider, the bounden duty of a journalist, to call attention to the dissatisfaction consequent upon such a state of things. The bargain, which operates so injuriously to the interests of India, has been struck up between the Company, who are still rulers of this country, and the rulers of those rulers, and when two paternal Governments discover that bargain to be operating ruinously upon their subjects; and when, moreover, they reflect, that the probability of fulfilling the terms of the compact to which they are not parties, and which is prejudicial to their interests by the people of India, is every day becoming less; why, it is time surely for them to direct their attention, as how to obviate the necessity of such a burden.—*Hurkaru, March* 28.

The *Harkara* has taken up our remarks upon the *Friend of India's* complaints about the three crore drain upon the resources of India. We have copied the article in another place. Our contemporary winds up by observing with reference to the existing bargain between the Company and the Rulers of this country, that "when two paternal Governments discover that bargain to be operating ruinously upon their subjects, and when, moreover, they reflect that the probability of fulfilling the terms of the compact to which they are not parties, and which is prejudicial to their interests, by the people of India, is every day becoming less, why, it is time surely for them to direct their attention as how to obviate the necessity of such burden." Certainly it is; but first it would be as well to establish the fact of its being a ruinous bargain before you advise the Government to a breach of faith; shew the pretended insolvency under it, or at least make out a grievance worth consideration before you ask the Parliament of England to relieve *this* Country at the expense of *that* Country,—for of course, no honest man would advocate the principle of depriving the Proprietors of East India Stock of the rights they have acquired under an Act of Parliament, any more than he would expect the holders of 3 per Cents. in England or of Company's

paper here to forego their dividends and interest because it would be very convenient for the finances of both Countries to be relieved of those charges, incurred perhaps very improvidently at the time when some of the loans were contracted. . We invite the *Hurkaru* and the *Friend of India* to make out their case of grievance by figured statements. Instead of this Bankruptcy with which they seem to threaten us, we have heard of nothing but growing prosperity for some time past: in spite of the calamities of several seasons which produced severe distress in some districts for two or three years, we have been told the land revenue has not diminished in the mass, but the contrary, and that the general state of the revenues of the country now exhibits a large and growing surplus If this be the truth, how can it be necessary or proper to make a change in a solemn compact either in the form of a compromise with the creditors, or by asking the people of England to pay part of the sum instead of the people of India!

But this petition *admisericordium*, rests upon an assumption, that "India would enjoy all the advantages she now derives from her commerce with European and other foreign states, without giving to England the annual tribute of the three crores." What *tribute*' the *Hurkaru* explains—"and Government would certainly not be rendered weaker by retaining in its hands for the more legitimate purposes of benefitting the tax-payers, the *three crores now disposed of in payment to the Company of ten pounds ten shillings per centum of their capital stock, as the Charter quaintly has it.*" The italics are ours. The Charter quaintly has it! The Charter does indeed recognize a certain amount of Capital Stock subscribed as such, just as it (quaintly we suppose) recognizes the Capital Stock of the Bank of England and of sundry other chartered and incorporated institutions; but we had believed that sum to be only six millions sterling, which at ten pounds, ten shillings per cent. per annum, would, according to the last edition of Cocker, occasion a charge of 630,000*l.* per annum instead of the three crore (or three millions sterling) asserted to be appropriated in this manner. And with regard to this particular item, we find certain assets per contra which were the private property of the Company in their commercial capacity and which appear to be sufficient to meet the whole charge or very near it. But we must here break off promising to elucidate this and other matters connected with the question of Indian tribute, by reference to official documents when we resume the subject to-morrow.—*Cal. Courier, March 28.*

The *Hurkaru* and the *Friend of India* speak of an annual *tribute* of three crores of rupees from India to Great Britain, and the *Hurkaru* would have us believe that all this enormous sum is wanted for nothing else but to pay dividends to the Proprietors of East India Stock on a nominal capital without a shadow of right. We have already observed that these dividends amount only to £630,000 Sterling, little more than a sixth of the sum said to be so expended and that an equivalent for that particular charge, or nearly so, was given to India by assignment of the entire proceeds of the Company's Commercial Assets. We do remember that our daily contemporary once attempted to shew that these commercial assets were all moonshine, partly made up of a pretended balance due by the territory to commerce, and partly by goods and other property scarcely sufficient to cover outstanding commercial engagements in England. True, the twenty-two millions and odd in the statement presented at the time of the negociation between the Court of Directors and the Board of Controul, did include a balance of between four and five millions we believe, which some cavillers have treated as liable to question, and the teas and ships and ware-houses, &c., of the Company were not likely to produce the valuation which the Court put upon them at the time, nor have they done so; but we have before us a Parliamentary document published in June last consisting of the accounts of the Revenue and Charges of India for four years ending with 1834-35 (the last by estimate as respects the Bengal and Madras accounts) in which we observe the sum of £8,502,767 actually credited in the London accounts of the year 1834-35 as "the amount realized in England from the Commercial Assets, after deducting the sum of 2,000,000*l.* set a part for the formation of the Guarantee Fund for the Proprietors of East India Stock, and the sum of 176,456*l.* the amount of certain extraordinary charges defrayed directly from the produce of the Assets, applicable to the service of the Government of India." But a large portion of the Commercial assets was then still unrealized, principally teas, and we remember to have met with a statement shewing, in the early part of last year, the entire amount to exceed fourteen millions, a sum quite sufficient at even the present medium rate of Indian loan interest, to provide for an annual charge of £630,000 for twenty years, and for the extinction of it at the end of that term by a payment of twelve millions. In this part of the bargain then no great wrong has been done to India, looking at the matter abstractedly; but when we examine it with reference to the application of the money arising from these commercial assets, we discover reason to admit that the Revenues of India have been gainers by the arrangement; for in the same accounts we find it stated under the Madras head, that after reserving the two millions for the London Guarantee Fund, the following sums, namely, Rs. 37,20,512 in 1833-34 and Rs. 193,52,812 in 1834-35, were "appropriated from commercial assets realized in England towards the discharge of principal of Carnatic Debt;" and further, it is known that the possession of this money has enabled the Company to pay off the Bengal Six per Cent. Loan, amounting to sa. rs. 8,64,66,460, without pressing upon the Indian

finances, or rendering it necessary (which it otherwise would have been) to open a general 5 per cent. loan here for that purposes,—a very different thing from the previleged transfer loan actually opened, which has not prevented the Government of this country from continuing to borrow at four per cent.—whereas, if the Company's trade had gone on, these large funds would have remained absorbed in Commerce. We might perhaps fairly assume that their application to the discharge of the Carnatic Debt and 6 per cent. Loan, besides the positive advantage of extinguishing so much debt bearing an interest charge of 8½ lakhs upon the former, and sa. rs. 51,87,628 upon the latter, has put them in a position to save one per cent. on many crores of the remaining debt; because it left this Government free to advertise for payment (and thereby to reduce the interest on) a large portion of it; so that on the 30th April 1834, according to the papers before us, no less than sicca rupees 5,62,61,817 was subject only to 4 per cent. interest, and the amount has been considerably increased since that date:—and if the notices of loans to be paid off have been suspended for a longer interval than was expected by the public, we may perhaps attribute it to the circumstance of the remittances to England during the last year having been unnecessarily large, the Court having, it is believed, negociated upon Bengal twice the amount required with reference to the amount of private bills upon England taken here and in China against goods. But a temporary excess in the remittances of one year will of course be balanced by a shorter demand the next. It must not be assumed, that because there may have been remittances in one shape or other to the extent of three millions or more per annum for a year or two, the same amount will be always wanted at home. Looking at the abstract before us, we discover no reason to think the permanent demands of the India House will ever approach the sum of 3,000,000 per annum. The charges defrayed in England on account of the Indian Territory, amounted only to £1,476,655 in 1831-32, £1,227,536 in 1832-33 to £1,293,697 in 1833-34 and to £2,162,868 in 1834-35, the last item including £636,826 for the Proprietors' dividends, and £92,858 (also a new item) for interest on the home bond debt. These sums indeed are exclusive of interest Bills drawn from the three presidencies, amounting in 1834-35 to about 58 lakhs; but while the commercial rates of exchange range so high as they have done in India for some time back, few persons on the spot will claim the option of taking interest bills instead of cash; and should it even be necessary to add half a million to the London remittance (or *tribute*) on this account, the burthen thereof has been fully counterbalanced by the entire extinction of the interest charge for the Carnatic Debt and 6 per cent. Loan. What title however these remittances, in their details, have to be regarded as tribute at all, we shall examine in our next.—*Cal. Courier, March* 29.

* A statement of the amount of revenue realized in the Lower Provinces, during the last fifteen years, compared with the demands of the State, was published last week in the *Hurkaru*. It is a document of the highest interest and importance; it exhibits a gradual deficiency of revenue, within the last eight years. The subject will of course receive the immediate and close attention of the public Authorities, and the Board of Revenue will be expected to report upon the cause and cure of these deficiencies; but as the account is involved in some obscurity, the Senior Member of the Board, has called for explanations preparatory to the Report which is to be made to Government. Mr. Pattle's minute on the subject was published in the *Hurkaru*, with some trifling and perhaps unavoidable discrepancies. Having been favoured with a corrected copy of it, we have the pleasure of submitting it to our readers in the present number.

The statement of account, stands in need of explanation, to afford any clear data for examination. It is couched in the barbarous language of the Mahomedan Khalsa (treasury). It talks of Hal and Bukeya demands, as though no such words existed in the English language as "Demands of the current year" and "Arrears." As we are now rapidly shaking off our old predilections for Persian, it is to be hoped that the Treasury records will no longer be deformed with the obselete terminology of an exploded dynasty. After the coin itself has been made English, it is not easy to see why the accounts in which it is kept should not be in the same language also. But to the point. The statement gives us in one column the demand of the current year, and in the next that of the arrears, both which sums are cast up in the fourth column, and form the total demand. It would naturally appear at first sight that the total collections of any year, deducted from the demand, would form the arrears of the ensuing year; but no such connection can be traced between these two items. For example the difference between the total demand and total collections of the year 1831-32 was 1,16,73,023; whereas the arrears of the next year are put down only at 1,01,53,123. The collections from lands not on the rent roll would not account for this discrepancy; because, properly speaking, they ought to be added both to the column of demand and collection. That the account is correct, there can be as little doubt as that there is room for improvement in the mode of keeping it. Few tasks, indeed, are more difficult than that of presenting complicated national accounts in a lucid form. The French system of accounts is said to be the most perfect in the world, and has, we hear, been adopted as the model at the treasury in Bengal.

But these are minor points; the great and appalling fact brought to light by this statement is that of a growing deficiency in the collection of the public revenue of the lower

provinces, which has gradually increased to *one-fourth of the annual demand*. The demand for 1835 36, has been estimated at three millions sterling, the collections, at two millions and a quarter. This defalcation has of late years gone on progressively increasing. In 1820-21, the difference between the current collections and the current demand was *twenty three lakhs and a half*. In 1828-29, it was *thirty-four lakhs*. In 1835-36, it had risen to more than *seventy-five lakhs*. If the deficiency had occurred in the provinces which have not been blessed with a permanent settlement of the revenue, it would have been attributed to over-assessment the inevitable effect of which is to deprive Government of much that might have been realized upon a moderate rent. But it has arisen in the provinces of which the rent has now been fixed for forty years, and generally upon so moderate a scale as to have given the Court of Directors a strong disgust for permanent settlements. There have been vissicitudes of season during the past eight years; but no calamity of such a nature as to account for so remarkable a deficiency. Far greater calamities were experienced in preceding years without creating so decided a defalcation. Neither is there any reason to suppose that the country has been impoverished to such an extent as to render it impossible to realize the ancient amount of revenue from the same estates. Even if the supposition of poverty be admitted, nothing has occurred to attach the consequences of it peculiarly to the epoch of the last eight years. To account satisfactorily for this decrease of revenue we must discover some cause which was not in operation in preceding years, and which is adequate to the effect; and the only cause which can be supposed to have such extensive operation has been the change in the system of internal administration. This has been two fold; the appointment of Commissionerships of Revenue, and the union of the office of Magistrate with that of Collector. Some are inclined to attribute the deficiency to the appointment of Commissioners; and their supposition is so far plausible that the serious decay of the revenue is coeval with that modification of our system. But there seems to be no reason for regarding these two events in the light of cause and effect. Before the change, we had three Boards of Revenue in the Presidency. One Board only has been abolished, consisting at the farthest, of *three* members; and in its stead we have *eight* Commissioners of Revenue, stationed in various parts of the country. The effect of this change would rather, we think, have been to stimulate the public collections. It is difficult to suppose that the collections should have suffered by more than doubling the number of superintendents, and placing them in positions peculiarly adapted for controlling the fiscal department. But the other alteration in the system, the union of the office of Magistrate with Collector, will, we think, account for this loss of revenue. When the individual who is charged immediately with the collection of it has his hands filled with other duties, of a most harrassing nature, it is easy so suppose that the collections may have suffered for want of that undivided attention which was formerly bestowed on them. To this cause chiefly are we inclined to attribute the unfavourable results of the last eight years.—*Friend of India, March* 30.

MINUTE BY THE SENIOR MEMBER.—The statement annexed prepared by the Revenue Accountant of Hal and Bakya Demands, and Collections of Bengal, Behar and Orissa, from 1820 21 to 1835-36, and also of Collections from lands liable to assessment, but not registered on the rent roll of those years, seems to me so extraordinary and to exhibit so very unfavourable a result for the last 8 years, that it, since the Revenue Commissioners were established, that considering it in connection with other important evidences of admitted failure in the revenue administration during the same period, I am apprehensive I might be justly accused of a great dereliction of my duty, were I not to attempt to obtain some explanation in detail of the causes of the very manifest deterioration exhibited in this statement. It shows that the Hal demand or Jumma has been in the permanently settled provinces nearly stationary since 1828-29 since there has been no increase worth noticing. Explanation is nevertheless necessary to shew how it happens that the new estates added to the rent roll by the recent activity given to the process of Lakheraj resumption has not produced a more perceptible effect on the general land revenue demand. There is, it is true, a separate head * for "Collections from lands not on the rent roll," and most of the resumptions will have appeared probably on this list, but even here no increase is to be found. On the contrary, the separate head for these collections shews a total sum realized during the years 1827-28 and 1828-29 considerably in excess of the collections during the three last years (realized or estimated) of this portion of the statement. With reference, therefore, to this unexpected result, I propose that the Revenue Accountant be called upon to furnish, so much analysis of heads No. 1 and 7 as shall enable the Board to see; *First*, How much of the Hal demand or Jumma of 1828-29 is identical with that of 1834 35—that is of the same demand and levied from the same estates during the two periods. *Secondly*, How much has been wholly through estates being put up to sale and no bidders found, or no land being forthcoming, to be delivered over into possession, it has been necessary to abandon the Revenue Demand. *Thirdly*, How much has been absolutely remitted in perpetuity by authority of Government on account of deluvian or other similar causes. *Fourthly*, What further losses of Jumma have occurred, and from what causes. Again of Jumma placed afresh on the rent roll, that is of the portion of that of 1834-35 which is new and was not on the books in 1828-29; *First*, What amount is ascribable to lapsed farms or jagheers which have fallen under assessment in ordinary course. *Secondly*, What amount has been derived from the assessment of new lands brought on the rent roll either by the resumption of Lakheraj, or through the occupation of alluvian or jungle lands, under the provisions of Regulation III. of 1828.

2nd. The office of the Revenue Accountant at the Presidency ought to have such Registers of the land

* Column 7.—1827—28....1,80,785
1828—29....4,37,406
1835— 4....3,62,776
1834— 5....4,13,000
1835— 6....4,15,000—Estimated.

revenue of the different districts and of mutations in the Jumma in particular as should enable him to prepare the above explanatory statements without much additional trouble. But if it be more convenient for him to make them up for other years than those above indicated, I have no objection, as my desire is to have before the Board some distinct exhibition of the decreasing of Hal Demand or Jumma on one side, and of its growth where it has increased on the other. I would wish to have it for the whole of the permanently settled territory, but if that be not attainable in consequence of the labour of preparation, the Board must rain be content with a few districts to be selected by the Accountant with reference to the variations, apparent extreme cases being of course preferred.

3rd. With respect to the annually increasing unrealized balance, it appears that the current collections upon the same Hal Demand or Jumma are between thirty and forty lakhs less than heretofore, and although the Bukya collections have increased necessarily with the balance overdue, the increase does not quite correspond with the amount of balance, so much so otherwise, that in the total sum annually realized, there is a deficit of no less than ten lakhs in the collections of 1834-35 contrasted with those of 1827-28.* This is not ascribable to any failure of crops or temporary or local causes, for in the year 1834-35 all circumstances were favourable, and I still more so in 1835-36. In the year preceding, viz. 1833-34, when there was a partial failure, the deficit was more remarkable, being upwards of 19 lakhs. †

The statement annexed sufficiently shews that the Revenue is not so punctually paid or so regularly realized under the system of Commissioners and Collectors, having Judicial and Police duties as well as fiscal to perform, as it was under the system in force prior to 1829-30. The outstanding balances of the Hal Demand amounted at the close of 1828-29 only to 35,19,603 whilst at the close of 1834-35 the outstanding balances of the Hal Demand for that year amounted to 75,88,520 being 40,68,917 in excess of the balances outstanding at the close of 1828-29, viz.

	Current Hal Demand.	Coll's. Hal Demand.	Bal's. of Hal Demand.
1828-29 . .	301,25,318	266,05,715	35,19,603
1834-35....	301,64,962	225,76,442	75,88,520

Excess of balances of 1828-29..... 40,68,917

4th. With a view of tracing this singular defalcation in the receipts, I would wish the Revenue Accountant to be called upon to furnish an analysis of the 127,68,000 alleged Bukya Demand, shewing how much is of the year last past, and how much of old standing, that is, of 1, 2, 3, 4 or 5 years, and under one head the amount that has stood over more than five years. I presume that no interest is included in this statement. If there be, its amount should be separately and distinctly exhibited, for its forming any part of it will make the deficit of collections still more extraordinary; for of course the amount, if not in it, ought to correspond with the Bukya Demand. I should much like also to see in the analyzed statement of balances, a separate head of those due upon estates that have been sold in liquidation of arrears of revenue, shewing the amount unrealized by the sale proceeds on the one hand and the amount due from the purchaser since the sale. This information, however, I fear, the Accountant will not be able to supply for us, and without sending a Special Officer to make the enquiry it would be hopeless to call for it from the Commissioners or the District Collectors. This statement must ultimately form the subject of a reference to the Government, for we have more than once been called upon to explain the ill success of late years in the realization of the Revenue, but it appears to me we should be premature in at all addressing Government until we sought for and obtained all the information that can be procured through our Accountant.

5th. I solicit the third member's consideration of this question and his assistance in perfecting the enquiries which seem to me to be of great importance and therefore needing to be made with as much attention to accuracy and perfection as may be consistent with other obligations of duty. I hope the apprehensions I entertain of the imperfections of our system of Revenue accounts generally, may prove to be ill founded.

23*d January*, 1837. (Signed) J PATTLE.

I certainly agree that the Accountant should be called upon for all the explanation it may be in his power to afford. On receiving his reply, it will remain to determine what further steps should be taken in this important matter.

13*th Feb.* (Signed) H. WALTERS.

Column 8.—Total Collections.

1827—28. . .300,60,803
1834-35....290,03,905
1833—34....281,34,830

† 300,60,803
281,34,830

Deficiency..19,25,973

There is a set of assertions in the *Hurkaru* newspaper of Tuesday last relating to the financial condition of India, and the revenue management of Bengal, which (being calculated to mislead) we think it worth while to observe on. The object of the statements seems to have been the covering of a certain quantity of paper with a certain number of words, among which the introduction of such terms as '*jumma*, *amlah*, *crore*, *revenue*, *&c. &c.* might induce the unwary to conclude, that the article was in very deed a disquisition upon the questions of revenue realization and remittance.

The total ignorance of his subject displayed by the writer is evident in assertion the 1st, viz. that "three crores of rupees are now disposed of in payment to the Company of ten pounds ten shillings per centum per annum on the present amount of their capital stock." Now if three crores of rupees (3,000,000£) be required to pay a dividend of 10 per cent., on the Company's capital stock, the amount of that stock must be 30,000,000£. The amount due annually on account of the dividend usually supposed to be some 640,000£, or there-abouts, not quite three millions. The purposes for which the total Indian remittance is made are totally beyond the knowledge of the financialist of the *Hurkaru*. Assertion the 2d, that the permanently assessed lands of Bengal are constantly put up for sale at "a wretchedly inadequate price," in consequence of this drain of three crores annually would, if true, of necessity prove by inference that the country was becoming rapidly bankrupt. The financialist is, of course, prepared to prove the fact of the sales

at unreal prices, and demonstrate one approaching to consequent bankruptcy Assertion the 3d, that at these corrupt sales the lands are purchased by "corrupt omlah," necessarily induces us to conclude that they must be made under a corrupt collection. The financialist is, of course, prepared to cite instances in proof of the truth of what he states. Assertion the 4th, that "the extortion, harassment, and misery entailed in consequence on the ryuts, terminate not unfrequently in a general abandonment of *the* mouzas and villages and a retreat to *the* hills," leads us to enquire *what* mouzas and *what* villages, *what* ryuts, and *what* hills? The financialist will, perhaps, give us proof by instances in these cases also. He will also, doubtless, inform us upon what principle he quotes a report of the year 1832 in proof of the non-success of a system in 1837, and show, by a statement of authenticated facts, what grounds he has for the unblushing assertions above set forth.

The time is past in which bold talk and bluster would go down with the community for argument and fact. The statements made in the *Hurkaru* newspaper have now been so frequently challenged, and have been so invariably left undefended, that the continuance in the practice of filling columns by invention deserves constant exposure, and such it shall constantly meet with.—*Englishman, March* 30.

"There is a set of assertions in the *Hurkaru* newspaper of Tuesday, relating to the financial condition of India, and the revenue management of Bengal—(which being calculated to mislead) we think it worth while to observe on". So, says the *Englishman* of Thursday: much obliged for the favour say we. The whole scope of our observations, which have drawn upon us these remarks, went to this: that the revenue of Bengal had deceased, was deceasing, and would still further decrease; for the truth of which proposition see a statement of the revenue realized in the lower provinces, published in our paper of March 21st. We merely hinted at the details by which the revenue is daily becoming more difficult to collect, and the consequence of which is a yearly defalcation, going on in almost geometrical progression, in proof of which assertion see the statement published by us. In 1821, the revenue was twenty-three lakhs and a half in arrear for that year, that is the assessment or demand, was twenty-three lakhs and a half, *more* than the revenue officers could collect; in 829 it was thirty-four lakhs in arrear, and in 1836, by the last return, it appears that the revenue demanded is more than it is possible to collect by upwards of seventy lakhs of rupees. The *Englishman* asks us to particularize—he wants a list of the various talooks, mouzas, &c., upon which it is impossible to collect revenue! With this general result before him, he will, we shall assume, be content, without any specification by us. Lest, however, he should not, we have half a mind to furnish him, with three or four instances, in various districts of Bengal, of lands sold for Jumma in arrear at a grossly inadequate price, and of a partial cessation of cultivation of these lands, and bought by Government in consequence. The task is very easy; but in the mean time, we will remind our courteous contemporary, that from the very fact of there being no purchasers at half the Government sales for arrears of revenue, the presumption is, that the lands are in such a position, from the amount of arrears due upon them, that no one would bid against Government, knowing well, that Government would drive on the biddings, until some thing like a promising bid was made likely to cover the arrears; and the incoming tenant would, in consequence of the large amount of purchase money paid to Government, be compelled to exact *pro ratâ* from the ryut; the consequence of which is naturally the emigration of the ryuts and the incapacity of the new zemindar to cultivate, from out of all which arises a defalcation of revenue, which defalcation is travelling onwards in almost a geometrical ratio. This is, we think, a sufficient answer to the observations of the *Englishman*. He calls us a "financialist," and "a writer in the *Hurkaru*." We now give the *Englishman* due notice. It is not once, nor twice, nor half a dozen times, that we have passed over in silence this sort of impertinence. He chooses to scout all courtesy in his attentions to us. We know 'this writer' perfectly well, and have the *best* authority, as to the *period when* he began to write in the *Englishman*. We had hoped that he would have left it to his precious principal to write the slang articles, if only upon the principle of the division of labour. We have waited very patiently since about November last, to see if he would come to his senses; impunity apparently only makes him worse. That he should make the *Englishman trim* to suit his own ulterior views, *we* have no possible objection to. That the *Englishman* should abuse the black act, and support an act auxiliary to it, is a matter of indifference to us. That his paper should have all the weight of a demi-official Government paper, we perfectly acquiesce in; *but* that "this writer" should condescend to adopt the style, and even the vulgarisms of the editor of the *Englishman*, does, we confess, surprise us; there surely can be no necessity, and little use in pursuing such a course; and if this gentleman really entertain the wish of making the *Englishman* a complete Government paper, the course he is now pursuing is only calculated to defeat his own end. Were *we* to take the trouble to be angry and to *strip* this *facentieré*, this *doer* of the *Englishman*, of his *incognito*, *where* would he be; with the Court of Directors' *instructions*, as to civil servants writing in newspapers, staring him in the eyes? We really venture to hope that another course may be adopted, and that common decency may at least be observed, supposing *courtesy, &c.* to be out of the question.—*Bengal Hurkaru, March* 31.

It is an excellent good plan to bluster, when you cannot argue. It is a still better, to supply the want of facts wherewith to rebut objections to the truth of things stated by an attempt at stopping further challenge by random personal allusion. The *Hurkaru* newspaper has so often tried these tactics that the device is too stale to attract our notice, or induce us to forego the consideration of the subject upon which they have been now exercised.

In these times, when Government is day by day giving more and more publicity to its acts, when free access is had to records, and reporters are allowed entrance to all courts and sittings, vague assertion, as to the proceedings and policy of our present rulers, and the consequences thereof, is worse than ridiculous. A few years ago men might safely trust to their imagination for their statements, and fill column upon column with indefinite rhodomontade as to excessive taxation, a decreasing revenue, an overwhelming remittance of three millions for the sole use and benefit of a set of stock proprietors, or any other nonsense which it might please them to set forth in rounded phrase, and turnid paragraphs. That sort of thing will not do now. It is well known to every one who reads a Calcutta newspaper that information upon the general principles of Indian revenue management and the immediate consequences therefrom accruing may be obtained at once from the fountain head at the expense of a very little trouble and a small penny worth of observation. They therefore deserve, not conjecture but facts, not theoretical deduction from theoretical premises, but practical observation upon ascertained truths; not idle talk about oppression, but exposure of special oppressive acts; not mention of "*the* mouzas," and "*the* villages," allusion to "a late event," or dark hints at "a corrupt umlah," but names of places, dates of occurrences, and specified declaration of where the knaves live, and who the rogues are. Now we have rightly and justly, not for the first time nor the second, nor the third, shown up the *Hurkaru* newspaper (as we must not say "the writer" in this newspaper, nor make mention of "a financialist") for filling its columns with groundless speculations upon the topics of the day, either in themselves intrinsically idle, or else mischievous. In the present instance, we asked plainly for plain proof of the truth of a set of assertions, and our request (made on behalf of the public) has not been complied with. The writer, who is no financialist, has darkly alluded to the ability of naming "*three or four*" mouzas or villages in support of what has been stated regarding the countless villages of Bengal, Behar, and Orissa, and there the matter ends: and he has further insisted upon a decrease in revenue collections of some seventy lakhs since the year 1820. Now a very little reflection would have convinced most men, that while a Government continues to make immense remittances and to pay off debts, to reduce its taxes, and increase its establishments, its revenues cannot be decreasing, and the seeming deficit of seventy lakhs should have been examined before being insisted on as positive decrease. The plain fact is, the amount of land revenue collections is the same as it ever has been, but that, owing to the injurious experiment of overcharging the collection with magisterial duties, the realization of current collections has been impeded; consequently, more is collected under the head "balance," and less under the head "current." One who looks to but one side of the sheet sees a deficit, and here is the simple solution of this great financial mare's nest.

The Press of India is now fairly treated. It should in turn treat others fairly; neither the reading public should be mystified, nor the state of the country misrepresented, because people will not take the trouble to assure themselves of their ground before they make their assertion.—*Englishman, April* 1.

In Saturday's paper we republished from the *Hurkaru* a weak and foolish article, the last paragraph of which held out something like a threat to tear away the *incognito*, which the writer supposes some one of the gentlemen contributing to these columns to be desirous of preserving with great strictness. The defeated and mortified "writer assumes that many of the best articles which appears in the *Englishman* are the work of a civilian, and he vainly imagines that by indicating the gentleman who gives so much trouble to the Hare-street confederacy, he will be enabled to bring him into disgrace with the Honorable Court and thus rid the *Hurkaru* of a potent foe.

On the bitter malignity of such a menace as this—on the helplessness of a writer who can find no better answer to the continual exposures of his ignorance,—and on the exquisite folly of the supposition that the annihilation of *one* writer in the *Englishman* would enable the *Hurkaru* to crow, unmolested, on the summit of his own particular dunghill, it were needless to waste one word. We merely recur to the subject for the purpose of exposing the emptiness of such threats, and of offering a few remarks upon the connection of the civil service with the Press generally.

It seems that some thirteen or fourteen years ago, when the affairs of the Bombay Government were administered by Mr. Elphinstone, the judges of the Supreme Court complained that their proceedings were misrepresented by the newspapers of the day, and they went the length of charging some members of the civil service, high in office, who happened to be proprietors of the papers, with countenancing and encouraging the editors in their impropriety. To prevent a repetition of such charges, the Court of Directors came to the resolution of prohibiting their servants from holding shares in newspapers, or taking upon themselves the editorial responsibilities. We have not the order immediately to refer to, but we believe we have stated its purport correctly,

and the following extract from the evidence given before the House of Commons in 1832, confirms us in that belief. The respondent is Mr. Charles Lushington, formerly a Secretary to the Supreme Government.

"Q. Are not the civil servants of the Company generally at present precluded from taking any part in the press of India?

A. They are debarred by the orders of the Court of Directors from being *proprietors* or *editors*.

Q. Is there any interdiction against their being *writers* in periodical journals already established?

A. No. I DO NOT THINK IT EXTENDS TO THAT *E. I. Envid. Public.*"

The effect of the order was to cause all the government servants, who held shares in newspapers to dispose of them at a heavy loss, and from that time to this it does not appear that any one of them has ventured again to become a proprietor. But as regards *writing* for the press, the order has, of course, been a complete dead letter, and the civil service on this side of India especially, have never ceased to adorn the papers with the fruits of their experience and the offspring of their talent. The *Bengal Hurkaru* has, indeed, been most particularly favored by the service, and we do not hesitate to say that it owed a very large share of its evanescent popularity to the contributions of those gentlemen who rejoiced in the signatures of SEBASTIAN MUGGINS, INDOPHILUS, ALFRED, PHILALETHES, the FRIEND OF INDIA, AMICUS CURIE, &c., &c. Why it turns about *now*, and attempts to frighten the service by idle menaces to name one of their members, and hold him up as an object for the censures of the Honorable Court is easily explained. The civilians, we suspect, in utter disgust, have forsaken the paper.

But though the Court of Directors have *not* thought proper formally to prohibit their servants *writing* for the Press, it cannot be denied that some few men of talent either do interpret the order as strictly as the "financialist" in the *Hurkaru*; or require some stronger stimulus for the exercise of their ability than the mere salary which the proprietor of a paper may be able to afford them. We should be, therefore, glad to see the order of the Court, useless and absurd as it has been proved in practice, entirely rescinded, for there can be no fair play for the Government in its contests with the press, so long as a single person having the ability to write, and possessed of information, imagines himself muzzled. Of this opinion was Mr. Warden, once a member of council at Bombay, and now a director. Of this opinion also was Mr. Sullivan, a member of the Madras Government. Those intelligent men saw that the interdiction in question merely had the effect of assisting the propagation of error and of bringing the measures of government into contempt, and they severally expressed themselves hostile to its continuance even in the modified form to which we have adverted. "There appears," says Mr. Sullivan, in his letter to Mr. Villiers, the Secretary to the Board of Control, "no practical advantage in prohibiting public servants from having any concern with political journals; the *rule can never be enforced* and *ought not therefore to have been promulgated* * * *, and again —, the public *servants would seem to be the natural hunterpoise* to professed journalists."

Mr. Warden, in his answer to the Circular of 1832, says, "By the policy we have pursued, in prohibiting to the influential portion of society, *the Company's servants, an interest* in its respectability, and by abstaining from conciliating the support of any public journal, European or Native, to have rendered the press, if not hostile, at least perfectly indifferent to the support of the government." Sir John Malcolm was of the same opinion, and strongly urged upon the attention of the Court of Directors the necessity for "that *counteracting influence* to the mischiefs arising from the ignorance of newspaper press proprietors which *the servants* of the Company could alone supply." Mr. Warden even went the length of suggesting that Government should have a paper of its own, conducted entirely by the civil servants, and we believe we are correct in saying that a high authority in this country, (we do not refer to his Lordship the Governor-General) is of the same opinion.

Hence, it is reasonable to infer that any paltry attempts now made to frighten the civil service from the slight connection any one of its members may be supposed to have with the Press, will, at all events, meet with opposition in some respectable quarters, even supposing the lapse of thirteen years, and the entire change which has taken place in the circumstances of the Indian Press, to have worked no decided alteration in the temper of *all* the authorities concerned in the prohibition so much reprobated.

But, in the opinions we have quoted, we have merely regarded the civil service, as a body useful to the government in defending measures, which the ignorant or the interested may gratuitously attack, and as entitled, therefore, to the acknowledgments rather than the reprehension of their hon'ble masters. This, however, is but a narrow view to take of the great importance of the assistance rendered to the press by the civil service. We consider that to them, we are indebted for a mass of information respecting the affairs of the country, for which we might vainly have sought in any other direction. To them, also, do we owe the example which some of us, at least, are but too proud to follow, of choosing subjects in which every Indian resident must take an interest. We do not wish to speak disparagingly of those members of the legal profession who have occasionally given the Press the benefit of their talents: two of them rendered us fair service while attached to the *Englishman* establishment, and have been still more useful to us since they left it to follow the (mis) fortunes of a rival paper.

but it would be an insult to their understandings to tell them that their very limited acquaintance with the affairs of this country renders them competent to do justice to the wants of the Indian Press, and to the avidity for information which characterises its supporters. The day is come for the Press to perform some higher offices than the merely reprinting extracts from other journals, commenting upon the state of European politics, and hunting a legal quibble to earth. The readers of papers want *knowledge*—knowledge of the resources, the laws, the commerce, and the usages of this country; and they look to the Press to satisfy their want. The attempt therefore, of any journalist—(especially one whose cry for freedom of opinion was at one time louder, if not more effectual, than that of any of his brethren) to close up one of the most important avenues of information merely because it holds up wilful ignorance to public scorn, is a piece of absolute insanity, and can have no other effect, if noticed further, than to lead to the formal abrogation of those orders which prevent the Government servants from becoming *proprietors* of journals, through whose medium, truth, and knowledge may be widely diffused, and *charlatanerie* and vulgarity effectually put down. -*Englishman*, *April* 4.

The *Englishman* of Saturday last, informs us, and his readers, "that the amount of land revenue collections, is the same as it was, but that owing to the injurious experiment of charging the collection with magisterial duties, the realization of the current collections has been impeded, consequently more is collected under the head balance, and less under the head current." This solution of the difficulty we do not pretend to understand. There is an apparent deficiency in the Bengal collections for 1835-36 of 75 lakhs of rupees; there was a deficiency in 1829, of thirty-four lakhs, and in 1821 the deficiency was 23 lakhs and a half. In 1829 only were the collections overcharged with magisterial and police duties. This appears, according to Mr Pattle's minute, to have increased the progression of the deficiencies in the collection; but still, it does appear clear, that the collections were, previous to 1829, subject to an annual deficit. Our polite monitor of the *Englishman*, appears to say, that there is no actual deficit at all. We of course are quite willing to recognize the fact, resting as it does, upon such high authority; but we should be still more highly impressed with a sense of gratitude to our informant, if he would condescend to be a little more explanatory. He has no doubt all the details and account's necessary to make the matter clear at his finger's ends, (we mean this literally) and we wish to goodness he would stretch out his hands, and dole out to us the information he says we stand so much in need of. *We* have no means of ascertaining the truth of these matters, otherwise than by referring to reports of committees, minutes of revenue officers, and so forth, published in 1832 and 1837, and according to the last report, certainly the collections *are stated to be* in arrear 75 lakhs of rupees. According to the report of 1832, the territorial deficit for the preceeding 15 years, ending in 1829, was upwards of 23,000,000 sterling; that is, upon a comparison of the ordinary revenues and charges, there has been a deficit amounting on the annual average, to about £130,000 sterling. The resources out of this deficiency was supplied, were money received on loan in India, to amount about 17 millions sterling, and rather less than 5 millions arising out of commercial profits. Of the deficiency, therefore, for the whole period, about one-fourth has been directly supplied by the commercial profits, and nearly three-fourths by money borrowed. The increase of debt in India, in 1829, as compared with 1814, amounted to 16,335,754, and the increase of debt at home for the same period, amounted to about three millions sterling. Now we will venture, in the teeth of our mentor, to speculate on this date. Taking his own statement of the collections of Bengal to be correct, and that *balance*, as he calls it, means balance in *hand*, and not *outstanding unrealized balance*, we will assume that the territorial deficit only continues to be *now*, what it was in 1829. The means of making up the deficiency are certainly minus the commercial profits; and we would therefore ask, out of what fund the sum equivalent to the commercial profit is to be realized?—and then, supposing the answer about territorial and commercial assets to be, as usual in such cases made, we should then beg the favour of a statement of particulars, and whether the sums so obtained from other sources,—be they what they may,—can be calculated to continue during the ensuing 18 years, to produce the sum necessary, to make up, together with the territorial revenue, a sum sufficient to supply the ordinary charges of Government, to liquidate the debt in India, to bear the annual remittance of three millions to England, for the purposes which, according to the *Englishman*, *are inscrutable to us!* the application of which is, nevertheless, regulated by a brace of Acts of Parliament, and the inscrutability, such as it is, exists only in the vile law phraseology, in which the application of these monies is directed. When our mentor shall have answered this question, which we admit to be rather comprehensive, we should wish to take him back once more to the deficiency in the collections of revenue in Bengal; and having got him to this point, we would request of him, to explain the following paragraph in the minute of Mr. Pattle, published by us on the 21st of March last:—

3. With respect to the annually increasing unrealized balance, it appears, that the current collections upon the same hal demand or jumma, are between thirty or forty lakhs less than heretofore, and, although the bukya collections have increased necessarily, with the balance overdue, the increase does not quite correspond with the amount of balance; so much so, otherwise, that in the total sum annually realized, there is a

deficit of no less than ten lakhs in the collections of 1834-35, contrasted with those of 1827-28 This is not ascribable to any failure of crops or temporary or local causes, for, in the years 1834-35, all circumstances were favourable, and, still more so, in 1835-36 In the year preceding, viz., 1833-34, when there was a partial failure, the deficit was more remarkable, being upwards of nineteen lakhs.

The statement annexed, sufficiently shews, that the revenue is not so punctually paid or so regularly realized under the system of commissioners and collector having judicial and police duties, as well as fiscal to perform, as it was under the system in force, prior to 1829-30. The outstanding balances of the hâl demand amounted at the close of 1828-29 only to 35,19,603, whilst at the close of 1834-35, the outstanding balances of the hâl demand for that year amounted to 75,88,520 being 40,68,917 in excess of the balances outstanding at the close of 1828-29.

Viz	Hal Demand	Current or Hal Collections.	Balances of Hal Demand.
1828-29.	301,25,318	266,05,715	35,19,603
1834-35	301,64,962	225,76,442	75,88,520

Excess of Balances of 1828-29. 40,68,917

This we, of course, attach the greatest importance to, in as much as Bengal pays for Madras and Bombay, and pays the three millions remittance to boot. In Bengal, the surplus revenue has, for the 15 years, ending in 1829, amounted to about £1,891,635 sterling. The annual deficit at Madras, for the same period, has been £205,595 sterling, and at Bombay £1,081,595 sterling; so that, supposing the revenue in excess in Bengal, to continue much the same, which we very much doubt, there would remain a very trifling sum to go towards the three millions sterling of remittance, after paying the deficits at Madras and Bombay; and supposing even the system of retrenchment to have been carried into effect, to a great extent, still there is a very large sum necessary to make up this tribute or remittance of three millions. From what sources is it derived? This is another question we put to our mentor. We are aware the increase of the opium profits have operated very favorably for the last few years, and certain difficulties have probably been greatly alleviated thereby. The *Englishman* tells us, that no deficiencies in the collections do, in point of fact, exist. We are not satisfied, by any means, that this assertion is any other, than erroneous. We have stated our notions on the subject, and on the cause of a decrease in the collections. We have not specified the talooks thrown out of cultivation by the system: we stated we had a mind to furnish our contemporary, with instances of three or four in various districts, upon this he puts his own interpretation, and assumes that we know only the names of one talook, one or two mouzas, and a village or so: this is either a misunderstanding, or the *Englishman* (we don't mean the person who calls himself the Editor and Proprietor) is disingenuous. We meant to give our contemporary the names of some half dozen talooks, in some half dozen districts, the half dozen examples being half a dozen if not of a larger number, in each respective district; and which are thrown either entirely, or partially, out of cultivation by *the system*. The cases would not, however, make our argument stronger. The *Englishman* appears to uphold the system. Let us now see what Mr. Holt Mackenzie says of the system generally, and with these extracts, we must for the present close our remarks:—

"We have unfortunately acted on an opposite principle interfering in almost every thing, neglecting popular institutions where they exist, and attempting to create them where wanting. We have trusted to laws as a check upon subordinate officers which have operated almost exclusively as shackles upon the controlling authorities, on occasions of fraud to the few among the community who knew of them.

"No time should be lost in correcting this error: we should especially use every endeavour to revive and maintain the system of village or parish government, (to prevent abuse by the head men, when placed on a proper footing, will not apparently be difficult,) and we should gradually extend the principle by the use of other local associations of a wider sphere and higher function. We may thus, with a true economy, infinitely facilitate the administration of affairs, prove ourselves great benefactors to the country, and possibly, with moderation in our taxes, secure the attachment of the people, and so remove one great cause of our military expenditure.

"In using the words 'moderation in our taxes,' I must explain, that where the contract system prevails, the most lightness of the Government demand will go for little towards securing attachment or producing happiness, unless we protect the great body of the community from our revenue officers and engagers, and from our police. In several districts are to be found combined the most extravagant sacrifices of the public revenue with most glaring violations of private rights, from our unhappy ignorance, and the influence of corruption, it frequently happens, that where the government dues have been most extensively relinquished, there the body of the people are most oppressed and wretched. Nor, though exaction is under our own, as under all native governments, the grand evil to be cured, must we confine our views to that object our whole system of law and the mode of its administration requires to be carefully revised, with a full adverteence to the feelings and circumstances of the people, and every possible means should be taken of ascertaining what they desire, and feel and think, before laws are passed affecting their interests. From the want of such precautions, and from too much and too hasty legislation, several of our laws, which are in appearance calculated to secure the rights of the people, have in their application, without due knowledge, to countries of vast extent, and to persons standing in a great variety of social relations, been perverted to the destruction of their dearest properties and privileges; the mischief of a bad law going infinitely beyond the tyranny of individuals, the worst of whom are likely to be in some degree checked by shame, or remorse or fear.

"On this side the Jumna quite a different state of things presents itself; for there the omlah are comparatively every thing, the English gentlemen little, the people nothing. Regulations are enforced and forms observed, but no one can say with what practical result. The real is constantly quite opposite to the apparent result; many thousand villages were alienated under all the modes of fraud and folly set forth in the 1st Regulation of 1821; and large communities sold, as if they had been cattle, for the default of their directors; no one, from government downwards, being able to say precisely what was sold. A strange, arbitrary and unreasonable force being given to the mere record at settlements,

made in confessed ignorance, the revenue authorities held themselves bound by their own acts to maintain men of straw and paper as renters, while the courts frequently refused to intertere, on the ground, that unless possession were disturbed there was no judicial cognizance; though exclusion from the Government engagement might rob the possessor of all the profits that gives land a money value. Instead of taking the people as they existed, we forced them into all incongruous positions to meet inapplicable laws, and their properties were necessarily thrown into a state of indescribable confusion, from a system of revenue management conducted without judicial investigation, and of judicial decision without revenue knowledge. Every zillah, consequently, presents a great number of wrongs, which every one sees ought to be redressed, but for which the most skilful regulationist can scarcely tell the injured in what shape they are to seek redress, and the people are bewildered amidst the various opinions and principles of the public officers. We are every where met by people complaining of the authorities set over them, and the authorities complaining of the people. The longer we have had the districts, the more apparently do lying and litigation prevail, the more are morals vitiated; the more are rights involved in doubt, the more are the foundations of society shaken, the more has the work of civil government become a hopeless, thankless toil, unsatisfactory as to its immediate results, hopeless as to its future effects. With this impression of our past management I cannot, I confess, be very scrupulous in advocating change, though far from urging precipitate change, and the main principle of the change to be adopted clearly must be the admission of natives to a much larger share of the civil government, and the practical adoption of the often-avowed maxim, that the proper purpose of European agency is general direction, check and control, not the executive manistration of details."—*Hurkaru, April* 4.

Our editorial columns of Tuesday contained some speculations upon the mischief arising from that species of blind leading blind, exhibited in the disquisitions of "public instructors" upon matters of importance whereon they are not qualified to give an opinion. The *Hurkaru* of that day happily illustrated our position by a practical example of the evil descanted on. It appeared in a further *Hurkarean* article on revenue and finance,—a production which put us in mind of the Scotch Mechanic's definition of metaphysical discussion: "metapheesics, ye ken, is just whan ae man talks aboot what he disna unnerstaun, to anither wha disna unnerstaun, him." Our contemporary's objections are veiled under a modest garb of desire for instruction, and elucidation on points of Indian finance, which enlightenment he pays us the compliment of supposing we can afford, observing at the same time that, having *only* Government reports, and the minutes of Government functionaries to go upon, he is at a loss to know how conclusions, other than his own, can be derived from statements therein found. We have but the same documents, and yet our conclusions are very different; but as the old saw hath it, "there are two ways of reading a book, and one is upside down."

* *

Our contemporary takes for his text the explanation given by us of the alledged deficiency in the Bengal revenue collections, "*more is collected under the head balance, and less under the head current.* This solution," says our contemporary, "we do not pretend to understand." It is a pity, as the non-comprehension has induced an unfortunate exposure of its cause in an attempt to prove the solution incomprehensible; now the matter is plainly thiswise let 7 be the thing to be collected under the two heads, C. and B.; if 6 be taken on C. and 1 on B. this year, and 5 be taken on C and 2 on B. next year, there is a comparative deficit in C. but no deficit in collection. Call C. and B. current and balance (*hal* and *bukya*) and 7 the Bengal revenue, and extend the increase and diminution, till the unit be transferred to C. from B., still there is no deficit Our contemporary talks of "the progression of deficiencies in the collections." Now begging him to lay aside his figures, (which obfuscate him considerably) let him consult his common sense upon the following simple proposition. Is it possible for progressive decrease of public debt to be co-existent with progressive decrease in public revenue? But, says our contemporary, common sense is no authority, and Mr James Pattle, senior member of the Board of Revenue, is an authority, and therefore will we eschew sense, and cleave to Pattle. This unfortunate determination reduces us to the necessity of going into the detail of our financialist's objections, and of weighing the validity of the assertions they are founded on.

The gist of our contemporary's very loose and heavy article seems to be,—

1st. That he cannot understand how 7 (collected under two heads)—is 7 (collected under one head) The loss on the one, which is gain on the other, he chooses to look on as a loss positive, and this positive loss, says he, has been progressively increasing since the year 1820-1, or earlier. The cause then cannot be the magistrate-collector system during the year preceding 1829: This is very evident, and though the subject demands a separate article, let us pause to assign three principle causes of the decrease in the *hál* i. e, present, (or current for the year as we should say) collections prior to the date last above named. These are, 1. The gradual subdivision of properties? The increased duties of the collector, thereby accruing, whence it arose that current business was much added to at the very time when a more vigilant and active government gave him new work, and also compelled him to examine into, and clear off the arrears left by his predecessors. 3. The operation of clause 3, Sec. III. Reg XI, of 1822, which forbade the exercise of the sole coercive process of revenue collection *(sale of lands)* in the case of estates under what is called *Butwarra*, a process of separation and allotment. Now the extent of the subdivision of property in land during the past eighteen years, our contemporary cannot of course have any idea of; we must refer him for information to his native friends. The accumulation of arrears

of business in the revenue department during the earlier period of the British rule, he may form some idea of from the fact (which we have on good authority) that balances accruing before the permanent settlement are only now being examined and written off. The effect of the law above cited (recently repealed) he may conceive, when twenty-five lakhs of revenue were under it during the past years of 1835-36 in the predicament of immunity from realization. These facts, which we have been at the trouble of ascertaining for the enlightenment of our contemporary, will give him a conception of some of the main stops on current revenue collections. He observes.

2dly, That whereas for the fifteen years preceding 1829, deficit of funds to meet expenditure was 2.3 million sterling on the territorial account, one-fourth of which was met by commercial receipts and the remainder by monies borrowed, and whereas it is assumed there is a deficit in Bengal revenue receipts greater at the close of those fifteen years than at the commencement, and still existing if not increasing – how, without commercial receipts, will India meet her expenditure for the eighteen years subsequent to 1829? This is (we believe) what our contemporary means to say: it is a bold dash from Bengal revenue into the *mare magnum* of Indian Finance, and made with the usual hardihood of ignorance which distinguishes our financialist. We will follow him in the eccentricity of his statements for the purpose of showing, even to himself, the foolish fallacy of his position. Within the fifteen years preceding 1829, say from 14 to 29, the British Government was engaged in closing the Ghoorka war, in the Pindaree war, in the Burmese war, and in the expensive hostilities with Bhurtpore. Now as the Burmese war alone cost us ten million of debt, the financialist will not be disinclined to allow the remaining thirteen millions of his deficit to the account of our other warfares. A great portion of the debt incurred on these accounts has been paid, and we venture to suggest that similar wars must break out within the next eighteen years to occasion any thing like a similar deficit. The financialist has made the slight mistake of confounding extraordinary expenditure with extraordinary loss on receipts. He finds a deficit, and under the one idea of decrease in Bengal revenue, he ascribes the effects of political convulsions to financial causes. But if, without commercial receipts, the debt so caused has been greatly diminished in the years immediately succeeding 1829, it strikes us that this small fact proves the ability of India, not only to meet her charges, but to clear her debt within the awful eighteen years, which, according to the *Hurkaru*, are to make her bankrupt.

But, says our contemporary, the evidence of sense shall not convince us that there is not a decrease in Bengal revenue; the payment of debt, the reduction of taxes is nothing to us; we will receive our capital vested in the 6 per cent. with one hand, and touch our bale of untransit duties cotton with the other, and yet we will insist upon it, Government is galloping to bankruptcy. Why? Because.

3dly. The senior member of the Board of Revenue says there is "a deficit of ten lakhs in the revenue of 1834-35, compared with 1827-28." Alas, that he should say so, for Boards have erred, and members have miscalculated. As our financialist has taken up ground behind the senior member, the public must be disabused at the expense of a flaw exposed in official, as well as editorial finance. We honestly believe that an officer of Mr. Pattle's long service could not have been misled into the errors we shall presently expose, were it not that like men of ancient days in all situations he, "*laudator temporis acti*" was insensibly actuated by a bilious itching to depreciate modern systems. He takes the one most productive revenue year in the whole sixteen, from 1820-21 to 1835-36, viz. 1827-28, wherewith to compare the devoted year 1834-35; the true way would of course have been to strike the average for comparison; but let that pass. The collections of 1834-35 were undeniably short, but compared with other years than 1827-28 (years of the good old times too) we find them short only by such sums as,

Rupees	1,25,626	short of 1820-21
Rupees	1,58,188	do. — 1823-24
Rupees	1,08,132	do. — 1825-26

which will strike even such a financialist as our contemporary as a deficit of not quite "*ten lakhs.*" The mischief of the deficit of 1834-35 was, says Mr. Pattle, that *it is not ascribable to any failure of crops, or temporary or local causes, for in the year* 1834-35 *all circumstances were favourable.*" Alas, alas, that he should say so! The records of his office say otherwise, for it appears that in that year the *remissions* of revenue in Midnapore and Cuttack on account of calamities of season were rupees 2,59,250, and the *suspensions* of revenue in the same districts and Hidgellee (equally affecting the appearance of the accounts) rupees 4,70,778, making a total of rupees 7,30,028. But this not all; drought and inundation did their worst in Behar and elsewhere towards reducing the collections of this unluckly year to none of which Mr. Pattle, or the *Hurkaru*, refer. Now we are quite ready to pass these by also, for by simply adding the amount of *suspension and remission* in these three districts to the amount of Bengal revenue actually realized in spite of all difficulties, (Rupees 2,90,03,905) during 1834-35, we find the total exceeds the gross collections of 1820-21, 1821-22, 1822-23, 1823-24, 1825-26, and 1826-27! And yet, says Mr. Pattle, and echoes the *Hurkaru*, the loss was not ascribable "*to any failure of crops, or temporary, or local causes.*" But we have not done yet. "Circumstances," says Mr. Pattle, "were still more favourable in 1835-36," than in 1834-35 (!!!) to the realization of

revenue Let us see how far this is true Those who know any thing whatsoever of land revenue collections do not require to be told that *suspensions* on account of calamities of season are generally realized by instalments. We find, having taken some trouble to enquire on all sides into the matter, that the *possibility* of effecting collections on account of past years in 1835-36 was affected to the extent of rupees 13,71,297 by the indulgences granted to land holders in the 24 Pergunnahs, Hooghly, Midnapore, and elsewhere under the head *suspension*. With this fact before us,* we yet find that the collections of 1835-36 exceed those of *nine* out of the preceding fifteen years. They amount to rupees 2,93,18,549, or nearly five lakhs more then those of 1820-21, 1823-24, and 1825-26 Mr. Pattle's *test* year, 1827-28, the highest of the series of sixteen in amount of collections (rupees 3,00,60,803) gives very little more than four lakhs out of three hundred in excess of them,' and by adding the sum in suspension above noted to the amount actually realised in 1835-36, we have an excess over the highest year of the term. Mr. Pattle's pet 1827-28, of *more than nine lakhs* Does this look like a break down? Does this look like bankruptcy? Does this look like an utter smash in the course of the next eighteen years? The fatal bias towards case making has misled the astute and practised intellect of the senior member of the Board of Revenue and the unpractised *Harkaru* has followed, and has fallen with him. This has all arisen from the folly of writing *fancy* articles; our contemporary having made assertions he could not prove, was led to meddle with matters he could not understand, the result has been, by his own persistency, his own exposure, and that of others.

4thly. After blundering about Bengal revenue, our contemporary gets back to the great ocean of Indian finance, and incontinently endeavoreth to pick up shells on the shore thereof. How, says he, still assuming his deficit of receipts, will Bengal pay for Madras and Bombay, as she did in 1829, and make remittances too? The question is easily answered; Bengal, (or rather Bengal and Agra) will not have to pay as in 1829, seeing that Madras now pays her own expenses, and Bombay draws annually only 18 lakhs from this presidency, and Agra instead of, as in 1829, a crore. Is the financialist satisfied yet against fear of bankruptcy?

5thly. Now comes the crowning statement of our contemporary's article, his denunciation of something which he calls "*the system*" backed by a quotation of an opinion of Mr Holt Mackenzie's. We believe him to allude, or to mean to allude, to the sale system in the permanently settled districts in default of land-revenue payments, upon the enormities of which he, in a former article, loosely and fancifully descanted; any proof of these enormities in the Bengal and Behar provinces we challenged him to adduce. This of course has not been answered by show of fact in corroboration of assertion, but by way of reply (it is really hardly credibile) an opinion on "*the system*' in Bengal and Behar is cited *in a quotation from a minute by Mr. Holt Mackenzie on the revenue mismanagement of the Western Provinces!* That any one with the words "on this side of the jumna before him, in the body of the minute, could have quoted it as applicable to Bengal and Behar, or "*generally*" (to use our contemporary's expression) as equally applicable, in any way, to provinces under a revenue management totally differing in the one, and in the other, leads us to conclude, either that the financialist is so little of a geographer as not to know what the Jumna is, or that he has taken the extract at a hit or misventure for the look of the thing in the first instance because there was something in it about "Omlah" in the second, and lastly, because the minute being by Mr. Holt Mackenzie *must* be worth something as authority. This unlucky quotation has put the final stroke to our contemporary's authority on matters of finance and revenue management. We have said we will expose all attempts to mistify and mislead the public, in any matters made the subject of idle misrepresentation by the *Harkaru* or any other paper, in order to fill a column. The press of India should be lashed into utility, if it will not of itself be useful, and the first thing to be done is to put down the propagation of error and palpable misstatement That in so far as in us lies, will we do.

On the subject of the quotation from Mr. Holt Mackenzie's minute above alluded to, we will enter in a future article.—*Englishman, April* 6.

The *Englishman* of Thursday, has a long and apparently laboured article, in answer to certain queries and propositions put forward by us, on the subject of the Revenues of Bengal, and Indian Finance. The article in question, championizes Government, and there is no attempt made to deny that such is its real scope and object. It is in addition to this feature, which the *Englishman* has of late so constantly, nay invariably, exhibited, remarkable for two things, first, that all its statements are *assertions* of the writer, resting on his authority *purely*, and derived from enquiries made by him "on all sides," as he tells us; and secondly, it is remarkable for that style pleasantly and flippantly vituperative, in which he exhibits a great deal of assumption, and a great deal of self-sufficiency, with a dash of epithet, and a smartness characteristic,—and which old readers of some three or four years standing, may recognize as having erewhile adorned the pages of a Mofusil cotemporary. Revolving years have, however, somewhat subdued the *grittiness* of his expressions, and the pungency and

* If Mr. Pattle calculated on the estimate for 1835-36 in anxious effort to prove a decrease, we have nothing to do with that. The above is correct.

vividity of his gentle malignity: the diseased feeling is, however, not yet quite extinct,—it has been transplanted from the upper provinces to Calcutta, a sort of Palee plague, with which *we* especially shall be bored, for some time to come. We said on Wednesday that we had done with the subject, we shall therefore not pay any further attention to the tone of the remarks of the crack (as they say at Doncaster of the favourite) of the *Englishman*. Our position was and is,—for we see nothing tangible in the heap of accounts before us to induce us to alter it,—that the resources of the country were insufficient to support without serious consequences, the annual drain of three millions; and that we believed the Revenue of Bengal, realized in the collections, was on the decrease. The writer in the *Englishman* says, in answer to this, that there is *no* decrease in the collections, but an increase to the amounts of 9 lakhs of rupees in the year 1835 36, over the year 1827-28; and that, moreover, the senior member of the Sudder Board for the Lower Provinces, who asserts the contrary, knows nothing of the matter! This, it must be allowed, is a sufficiently modest assertion from this gentleman, who truly may be *called l'homme qui se bast, et se conseille*: age and experience have no weight with him, *he* looks to *facts!* and upon a statement which he says comes out of Mr. Pattle's own office, he contradicts the statements made by Mr. Pattle himself, upon those very returns. The question is, which of the two is most likely to be right; we, without pronouncing for, Mr. Pattle, do not hesitate to state that our official antagonist is *wrong*, and that too upon his own shewing. He says that the collections of 1835-36 were, by adding the sum in *suspension* to the amount, 9 lakhs more than the collections of 1827-28. What does he mean by suspension? Why outstanding balances of revenue due, and uncollected, the collection of which has been suspended, *i. e.*, has not been collected, *because* of overflowings of rivers and other calamities. The suspensions are gathered in by instalments, and yet *he adds* these *suspensions as collected*, when in fact they are outstanding, in order to make out his amount of nine lakhs. Without adding the *suspensions* there is a clear deficit in the collections of 1835-36 of upwards of 4 lakhs, upon the collections of 1827 28, there is consequently, with the remissions due and *uncollected*, according to the statement of the *Englishman*, an apparent deficit in 1835-36 of *thirteen* lakhs of Rs., for it is not shewn that the *remissions* in questions were outstanding *or remitted* at all in 1827-28, and this statement appears to us conclusive in favour of Mr. Pattle's statement. But it is in addition stated in the minute of Mr. Pattle, that there is an arrear of revenue of upwards of 75 lakhs now uncollected and outstanding, and with this position the *Englishman* does not attempt to meddle; he contents himself with the endeavour to shew that, of the revenue actually realized in 1836, there is not a deficit of *ten* lakhs, as stated by Mr. Pattle,—but only a deficit of *four lakhs*, which is no deficit at all, because by adding the *arrears* due, but remitted *pro tempore*, the amount is *nine lakhs* more in 1836, than in 1828! This is rather an Irish way of reasoning, it appears to us. It is very true, says this writer, that I in 1836 have collected and put into my pocket 4 lakhs less than you pocketted in 1827-28, but if I had got ever so much more, which *I have not* got, *then* I should have 9 lakhs more than *you* had in 1828. So much for this part of his argument, which we hope we have not misrepresented, and which, be it observed, depends entirely upon statements made by himself, and without a reference to his authorities.

Another point made by the *Englishman* is, that the subdivision of the lands has been increased to an extent of which it is impossible for poor us, to form any notion; and that *consequently* such *butwarra* lands, could *not* be *sold!*—and that *consequently* revenue *could* not be realized! We are here obliged to call attention to the fact as stated by our contemporary. He called upon us in former articles, to give him the names of talooks sold for jumma in arrear, and subsequently thrown out of cultivation; we answered that the fact was notorious throughout Bengal, and we might have added that this very regulation, about *butwarra* lands, was a proof of the circumstance, such lands being excepted from the general law, in consequence of their belonging to infants. But to return. We do not see why Hindu proprietors should have died in greater numbers, or why their children and representatives should have come to partition and division of their respective inheritances; that is, we do not see why there should have been more instances of lands under *butwarra*, during the last 6 or 7 years than previously; and we should like to have the fact well-established, before we admit our contemporary's argument. But even if it be as he says it is, to us it appears only to go the length of shewing, that the same proportion of properties, will increase with the demise of the several landholders now in possession of the sub-divided portions of the several wholes held by their ancestors!—whereby there will be a great increase of lands in *butwarra*, and a proportionate impossibility in realizing the collections.

The *Englishman* then says, we make the mistake of confounding *extraordinary expenditure* for wars, &c., for extraordinary loss on receipts. Now we cannot permit this position to answer his purpose. The extraordinary expenditure alluded to, the Goorka, Burmese, and Bhurtpore affairs, were supplied not out of the revenues of the country, for there was already a deficit, and a large one, between the charge of the territory and its receipts, and the average annual deficiency for the five years ending in 1828-9, was £ 2,878,681 sterling. This deficiency, and the extraordinary charges, were supplied by loans, and by commercial profits, in the following proportions: about one-fourth by the

commercial profits, and the remaining three-fourths, by money borrowed. On the annual average, the money raised by borrowing has been about 97 lakhs, and by direct application of surplus commercial profits about 32 lakhs, so that the extraordinary expenditure was met by extraordinary resources, which still remain a charge upon the revenues, and we have not made the mistake imputed to us. What say the Directors on the subject of the financial embarrassments of Government?

"We have contemplated with much solicitude the present very unsatisfactory state of your finances and we have carefully and minutely examined the causes which have led to it. We observe that it has been brought about, less by the pressure of occasional extraordinary expenditure, than by continual progressive augmentations of charge in every department, which, viewed separately, may have appeared, at the times they were made, to have been justifiable; but which, taken in the aggregate, have occasioned a large excess of disbursement beyond the resources from which, alone such charges ought to be defrayed. The great amount of that excess has absorbed every accession of improvement of revenue, however considerable, has increased your debt, and has left you burthened with a heavy deficit."

We should like it to be shown how and in what manner this *state* of affairs is altered at present. We are then told that Madras pays its own expenses,—that Bombay only draws 18 lakhs, instead of a crore, as in 1829. This is another assertion which may be the fact, but which it would be more satisfactory if established by something like evidence. In conclusion we are told, that we have made a blunder in citing Mr. Holt Mackenzie's minute; that by this side the *Jumna*, we ought to have known he meant the Western Provinces. The minute itself of this able man, relates to India generally; and as the writer in the *Englishman* does not like the extract we have given him, we now print paragraph 67, of the same minute, for his inspection, which is *general*.

"67. Without denying that some of the dislike under which we labour is inseparable from the position we hold, much must, I conceive, be charged to measures and arrangements by no means necessary of adoption. Nothing can be more striking than the scorn with which the people have been practically treated at the hands of even those who are actuated by the most benevolent motives; for, since the world began, there is probably no example of a government carrying the principle of absolutism so completely through the civil administration of a country, if that can be called civil which is in its spirit so purely military; nay, which sets the people aside in the management of their own concerns much more than the sepahee in the government of the army. The principle pervades every act, from the highest exercise of legislative power to the appointment of the meanest public officer. Out of all the consequences of our errors I would attach most importance to their effects on the village associations, which form the great bond of society throughout so large a part of India, but which have been greatly misunderstood and disturbed. These institutions seem to afford one of the most important of all the instruments we could use to insure the good government of the country and the comfort of individuals. Without them or some substitute similarly resting on popular principles, we must, I fear, have a miserable and disunited people, whom it is scarcely possible to govern otherwise than as the slaves of our native servants, whereas with them, these men might, I conceive, be made, really servants of the public; at the same time that our judges and magistrates would assume their proper station as governors, according to their several degrees, in all they ought to govern, and would leave it to the people to transact, with their protection, support and control, the innumerable concerns of civil life, which they alone can tolerably administer. One cannot too often recur to the principles which ought to restrain us from the error into which we constantly fall of doing too much, both legislatively and executively, under a government which excludes the idea of political freedom. The best chance for anything like civil liberty is to be found in narrowing the sphere of its interference, and extending that of popular tribunals; absolute power may thus be made consistent with civil liberty, and this in large and divided nations, with no risk of political disturbance; but laws arbitrarily imposed by a despotic government can have comparatively little effect in checking the abuse of power, except as they restrict the occasions of its being exercised; and it seems to be vain to think that we can by any legislative provision secure the community from extortion and vexation, if we once allow, or require the government officers to interfere perpetually in the minute details of the people's business."

We have now gone through the observations of our cotemporary. We think he has made out no answer to the statement of Mr. Pattle, which is the important point, in as much as it leaves in full force the statement, that the revenue is decreasing. There is another position which amounts only to assertion, and which, until brought more tangibly to our notice, has no weight with us, and brings no conviction to *our* minds. It is that with a *decreasing debt*, it is absurd to suppose the revenues of the country are not on the increase. This is mere inference. Let him shew the debt by how much diminished;—let him shew out of what fund it has been paid off;—let him give us the opium profits, salt accounts, &c., and something more satisfactory in the shape of the accounts of collections; let our official cotemporary do this, and the public will then, perhaps, place more reliance on those statements, which he so boldly, and with his *ex cathedrâ* air, puts forward. He talks of mystifying, and misleading the public. He may have some such motive, because he belongs to the executive and governing class. He belongs to a government which is characterized by Mr. H. Mackenzie, as being unexampled and unrivalled *since* the world began, in carrying the principle of absolutism, most completely through the civil administration of the country; and which sets *the people aside* in the management of their own concerns, much more than the sipahee in the government of the army. The propagation of error and palpable mistatement, are very grand words, but in as much as our motive is the amelioration of the condition of the natives of India, and the saving their pockets, if they had any, from the grips of the collector, it is difficult to see how we should attain our end, by the adoption of the means and mode imputed to us; and our cotemporary, when he blusters about error, ignorance, scorn, and all that sort of thing,

should recollect the fact, that "fine words butter no parsnips," and that the public here does, and will, look on with suspicion, on a paper conducted by a servant of Government, who in the very outset of his scribbling career, starts with blowing loud and long the trumpet of defiance to all comers, and, under the semblance of what he calls *lashing the press into utility*, seeks to throw dust into people's eyes, so that they may shut the said eyes, and blindly abandon the care of their interests to the executive powers—without challenge or question.—*Hurkaru, April* 8.

The *Englishman* has got another long story on Finance. We learn three things from his disquisitions on this subject: first, that Mr. Pattle and Mr. Holt Mackenzie, the one senior Member of the Sudder Board, the other Secretary to Government, are a brace of blockheads—ingenious blockheads to be sure, but still blockheads, according to the master Malapert of the *Englishman*, who, it appears, knows more of India, her resources, revenues, &c., &c. from a seven-years' residence, than both the gentleman in question. Secondly, that we asserted the Government to be on the eve of a national bankruptcy, the simple answer to which is the *Englishman* has mistated our position; which was that the collections of Revenue were annually decreasing; and that the annual drain of three millions unjustly impolitic, and fraught with dangerous consequences. Thirdly, that the territorial Revenues are not in arrear! ! ! ! ! ! !

Upon these three points, we will give our readers, and the *Englishman*, the benefit of our remarks, but very shortly, we promise them to-morrow. In the mean time we beg to observe, that the talk of the *Englishman* on the subject of *remissions*, made us laugh for one quarter of an hour.—*Hurkaru April*, 11.

We shall, for the present, add a very few words, to those we have already bestowed on the financial and revenue question. The influx of European news has prevented our doing so sooner.

First as to the arrears of revenue, which the *Englishman* appears to deny. According to the the report published in 1832, as the result of the labours of the select committee of the House of Commons, it appears, "that the Territorial possessions which are under the permanent zemindary settlement in the Bengal Presidency, comprise an extent of 149,782 square miles in Bengal, Behar, Orissa and Benares, with a population of upwards of 65,000,000 (exclusive of the Benares provinces, from which there is no return made,) and *yielding a Revenue* under permanent assessment of 3,24,70,853 sicca rupees."

Now what was the total demand of Government in 1828-9, or 1830-1, the period when the above statement was made? In 1828-9, the total demand of revenue was 3,04,03,786 sicca rupees, or upwards of 70 lakhs more than the revenue *produced* i. e. collected. In 1830-1, the total demand was 3,06,67,312 sicca rupees, about 2 lakhs further *deficit* in the collections. This would appear by the report as published at home; according to the minute of Mr. Pattle, the deficit is still greater, it being upwards of 75 lakhs of rupees in 1835-6.

As to the working of the system, (the permanent assessment) the Finance Committee, and the Parliamentary, both, state "that it does not appear to have answered the purpose for which it was benevolently intended by its author:" the Finance Committee goes further, and says, "that in the permanently settled districts in Bengal nothing is settled, and little is known, but the Government assessments. This was the state of things in 1830, for the report of the Calcutta Finance Committee is dated July 12th 1830. Then hear Lord Hastings:—

"Never," says Lord Hastings, "was there a measure conceived in a purer spirit of generous humanity and disinterested justice, than the plan for the Permanent Settlement in the Lower Provinces. It was worthy the soul of a Cornwallis. Yet this truly benevolent purpose, fashioned with great care and deliberation, has, to our painful knowledge, subjected almost the whole of the Lower Class throughout these provinces to most grievous oppression; an oppression too, so guaranted by our pledge, that we are unable to relieve the sufferers, a right of ownership in the soil, absolutely gratuitous, having been vested in the person through whom the payment to the state was to be made, with an unlimited power to wring from his copartceners an exhorbitant rent for the use of any part of the Land."

And Sir E. Colebrooke:—

An opinion not less strong was recorded at the same time by Sir E. Colebrooke, then a member of the Supreme Council, who observed that "the errors of the Settlement were two fold first, in the sacrifice of what might be denominated the Yeomanry, by merging all tillage rights whether of property or of occupancy, in the all-devouring recognition of the Zemindar's permanent property in the soil, and then leaving the Zemindar to make his settlement with the Peasantry as he might choose to require."

We now take the observations of Mr. Pattle, the whole scope of which is as to the fact and extent of arrears, and an investigation of the causes and a demand of a report from the Revenue Accountant; and this minute, be it remarked, which has not the approval of the *Englishman*, has been approved of by Government, and the information sought by it, is ordered *to be furnished*:—

With the view of having this singular defalcation in the receipts, I would wish the Revenue Accountant to be called upon to furnish an analysis of the 127,68,000 alleged bukya demand, shewing how much is of the year last past, and how much of old standing, that is, of 1, 2, 3, 4 or 5 years, and is still unrecovered. I presume, that no interest demand is included in this statement. If there be, its amount should be separately and distinctly exhibited, for its forming any part of it, will make the deficit of collections still more extraordinary; for, of course, the amount, if not in it, ought to correspond with the bukya demand. I should much like also to see in the analized statement of balances, a separate head of those due upon estates, that have been sold in liquidation of arrears of revenue, shewing the amount unrealized by the sale proceeds in the one hand, and the amount

due from the purchaser since the sale. This information, however, I fear, the Accountant will not be able to supply for us, and without sending a special officer to make the enquiry, it would be hopeless to call for it from the commissioners or the district collectors. This statement must ultimately form the subject of a reference to the Government, for we have more than we are here called upon to explain of the ill success of the late years in the realization of the revenue; but, it appears to me, we should be premature in addressing Government, until we sought for, and obtained all the information that can be procured through our accountant.

I solicit the third member's consideration of this question, and his assistance in perfecting the enquiries, which are to me of great importance, and therefore needing to be made with as much attention to accuracy and perfection, as may be consistent with other obligations of duty. I hope the apprehensions I entertain of the imperfections of our system of revenue accounts, generally, may prove to be ill founded.

(Signed) J. PATTLE.

23d January, 1837

P. S The Board have sent a copy of the Senior Member's minute to the Accountant Revenue Department, requesting him to furnish the required information at his earliest convenience.

As to the debt which has been paid off at home, we believe its amount to have been about £3,600,000 sterling, and that has been performed out of the sums realized by the commercial assets; but the territorial was largely indebted to the commercial account, so that this payment, would appear to be a robbing of Paul to pay Peter, *i. e*, a fragment of the bond debt out of the sums realized on the commercial assets, which seems ought to have been paid back to the territorial account; so that in point of fact, India has gained nothing by this payment,—or if she have, it is a strong reason, for a partial cessation of the annual drain of the three millions, inasmuch as this bonded debt, was *one* of the objects to which this sum was to be devoted.

That up to the year 1832, the state was burdened with a heavy deficit, and an enormous amount of debt, no one will attempt to deny: that there is and has been for years past a gradual decrease in the amount of revenue realized, we think we have shown, and we suspect every body but the writer in the *Englishman* acknowledges: that this should lead to a bankruptcy we do not say, and never have said; *but* that it should lead to a change of system, we say, and have said to the Court of Directors, and it is only because the experiment of purchasing land in arrear, and then re-settling them on the ryotwar system is too expensive, that the orders of the Court have not been complied with. But enough of this for the present The system of collections is bad, its results disastrous, and people will believe Mr. Pattle, and not pin their faith upon the crack of the *Englishman*, so he had better save himself the trouble of loading its columns with his unreadable articles.—*Harkaru, April* 17.

IMPROVEMENT OF THE CONDITION OF THE LABOURING CLASSES OF INDIA.

"Wretchedness," remarks a modern writer on education, "is incompatible with excellence; and you can never make a wise and virtuous people out of a starving one." The observation is founded on a correct estimate of the human character, and is particularly applicable to the state of British India, the physical condition of whose inhabitants at the present day, exhibits no improvement on that which obtained at the period when this fine country first came under our rule. Trade has increased, commerce has extended itself, arts and manufacturers have been disseminated over the wide extent of our Eastern possessions; but the majority of the millions by whom this fertile landis tenanted, still remain from year, to year, the same ill fed, badly clothed and poorly housed people, that we found their fathers. For this unvarying effect there must be a constant corresponding cause; and, if appealed to for the reason, the political economist, with a smile at the want of information which could elicit such a query, will gravely attribute it to the misfortune of over population. This assertion might pass current in latitudes where land is scarce and the climate unfavorable to the operations of agricultural industry; but in a locality such as this, where tracts of unoccupied soil abound on every side, and the earth teems with fruitfulness, it must undergo examination to ascertain the degree of pretension to which it can lay claim for correctness; and whether the source of the evil be irremediable or otherwise.

It can scarcely be controverted that high wages constitute the principal cause of comfort and independence among the labouring classes, and as these form the great bulk of the population in all civilized communities, it follows that, until this result be brought about as regards the people of India, they can never emerge from the depressed position in which they have so long been placed. A low rate of remuneration for labor being confessedly the main spring of the unsatisfactory condition in which the native of this country is retained, it becomes requisite to enquiere what measures are calculated to induce an amelioration in this respect. The first of these, and one of not difficult accomplishment, where the principles of conbination are so well understood, and so frequently acted on, is to keep the labor market understocked; by

which means an increased amount of wages will be obtainable, a portion of which might be devoted to the maintenance of those surplus hands who are purposely kept out of employment, in order that the main body may receive adequate renumeration for their work. The producer may inveigh against what he will stigmatize as atrocious counsel, but it is better that a few should thus dispose themselves for the good of the many, than that all should live miserably for the sake of all being employed, though at the ruinous rate of wages which competition would not fail to induce. It is also to the interest of the community that a high standard of payment for labor should be sustained in preference to a low one, since a society thus situate is more prosperous, and as a consequence more peaceable and moral, than one oppositely instituted; easier governed, and requiring a less costly administration of its public relations. No considerations of cheap production ought to be allowed to stand in the way of this desirable consumation, since it is rather a disadvantage than a benefit to those through whose instrumentality cheap sugar or low priced indigo is produced for the foreign consumer, that while every-one else connected with the trade obtains a share of profit, they alone are doomed to experience no increase of comfort, from arrangements to which they so largely contribute.

But there are other appliances of a more legitimate nature which might be resorted to, with the view of alleviating the distress and privation which are endured in this country, on account of the inadequate return which is offered in equivalent for bodily exertion. Emigration presents one, but it is apprehended a very limited means of effecting this object; though it is gratifying to observe, in the case of laborers proceeding to the Mauritius and other Settlements, that it has been adopted on a small scale, and under advantageous conditions to those who have availed themselves of the opportunity. Another and more convenient method would consist in opening out new channels of production, which, by absorbing all available labour, would universally tend to maintain an increased scale of wages. This, as being the most natural course, would be preferable to any other, and with reference to the plans which are in progress for developing the latent resources of which the country is susceptible will probably be that to which the elevation of the lower clases in India will be mainly ascribable. And here it strikes us that a great oversight has been committed by those who have professed to calculate the cost at which the staples of the country in their improved state will be producible in the market, in not having taken into consideration the addition which will have to be made for the operation of that principle which never fails to superinduce an enhanced rate of remuneration for labor, in consequence of the augmented demand for it. How far this circumstance will contribute to render our sugars and cottons less able, even in their highly meliorated condition, to compete with the most established products of other countries, it is difficult to determine; but that it will possess a certain degree of influence is undeniable, and should have due allowance made for it in any estimate which is framed with that view. It is curious to observe by what different means important ends are worked out in the disposition of sublunary affairs. The government of the country, deeming knowledge the panacea for every disadvantage under which their subjects labor, organize an expensive but ill working machinery for that purpose. A few persons, judging more rightly that poverty is the root of the evil, apply themselves at their own expence to eliminate its dormant capabilities, well knowing that though knowledge is power the impoverished condition of the inhabitants is ill adapted to enable them to avail themselves of its benefits so as to apply them to the practical uses which their necessities require. Between the two courses pursued, it is impossible but that good must result; but we make bold to say that individuals will far outstrip the administration in this race of benevolence. The latter are proceeding almost entirely on theory, and are unable to calculate, or even to define to themselves the results of their proceedings, the former know the ground on which they are treading, and at every step which they take are confident that they are approaching nearer and nearer to that period, when India will present the spectacle of a country abounding in all that can conduce to the enjoyment of existence, filled with a well employed and thriving population, and yielding a revenue, to which the present amount wrung at a rack-rent from the wretched peasantry will be but as dust in the balance of estimation.—*Englishman, April 7.*

* To those who take the trouble to read the editorials of newspapers, it must have been observable that of late the *Englishman* has assumed a very sublime tone; that he lectures away like the school-master abroad, and that he has taken upon himself the task *to lash the press into utility!* We have, we are aware, paid the new Solon of our cotemporary too much attention,—a great deal, indeed, more than he deserves; but our readers must pardon us if we once more make this writer the subject of an observation or two. In the *Englishman* of the 7th, are some rules laid down for the improvement of the condition of the labouring classes in India, and which, by the bye, the *Courier*, with quiet satire, republishes in his paper, heading the article, with *How* to improve the condition, &c., &c., &c., and truly the recipe is amusing enough. We notice it for the purpose of showing up the solemn nonsense, and pomposity of tone, which our cotemporary would fain persuade the public to be the golden stream of wisdom, issuing out of the mouth of benignant philosophy, but *which* we will presently show to be diseased nonsense and rigmarole.

The writer in question starts with a splendid truism, viz., that the *way* to ameliorate the condition of the labouring classes, is to raise the rate of wages! and he then proposes three methods of carrying into effect this very desirable object.

1st. To keep the labour market understocked; which measure, he says, is by no means difficult of accomplishment; and he recommends it to be done by *combination*, (among the labourers, we suppose). They are to *meet together*, (all over India?) and to say unto their task-masters:—"we will not work at the present rate of wages, but you shall employ all the capital now expended by you on labour, upon that portion of us labourers, which we will graciously permit you to employ; and the rest of the labourers whom *we* will throw out of employ, in order that we who work may get *their* wages divided amongst us, shall be supported out of (to use the *Englishman's* words) a portion of those funds, which might be devoted to the maintenance of those surplus hands who *are purposely* kept out of employment, in order that the main body may receive adequate remuneration for their work"!!! Now it appears to us first of all, that the *Englishman* may write till Doom's-day ere he can get up, and organize his general strike; and secondly, that supposing it took place, the capitalists, by holding out, would throw all India out of cultivation, and in the mean time, starve all the poor devils of ryuts, who live from hand to mouth; or else, drive them to desperation, and decoity; for if they will not work they must needs rob or starve! And it is manifest that the *surplus hands*, as this second Ricardo calls them, could not have less assigned to them out of the "increased amount of wages" by way of *maintenance*, "to keep them purposely out of employment," than they now get in the shape of wages for the work they do; and *that* for this simple reason, the wages of the labouter in India, or say Bengal, have arrived *at a limit, below which it is impossible to reduce them!!*—Wages of labour in this country, are at what is denominated the natural or necessary *rate* of wages; meaning (to quote Macculloch) by necessary rate, the various necessaries, and accommodations required, to enable the labourers to exist, and continue their race, according to the prevalent habits and customs of the race to which they belong. In Bengal (says Mr. Colebrooke,) the necessary wages of labour are almost entirely determined *by the cost of the food consumed by the labourer*; but as this food, which is the simplest imaginable, and consists merely of boiled rice and split pulse, and salt to relieve its insipidity, is produced at very little cost, *a labourer is able to subsist on a mere trifle*; and the consequence is that the customary rate of wages is in common employments so low as 2½d. a day. Now we ask how much less than this sum will the Ricardo of the *Englishman* assign for the maintenance of the surplus hands, purposely kept out of employ in order that the main body may get in wages? It appears that the rate of wages, is already only the amount of the labourer's absolutely necessary daily meal. If, therefore, our ameliorator should give him *less*, why he *starves* all his surplus hands; and give them *less* he *must*, or he has nothing, no fund, out of which to swell the amount of wages, of his main body, who are to be kept in employment! So far then, we submit, we have shown the strike and combination scheme to be, as we called it at starting, *diseased nonsense!*

"The producer," says the *Englishman*, "may call this *strike* expedient!" Atrocious counsel; but it is better that a few should thus dispose themselves for the good of the many, than that all should live miserably for the sake of all being employed." *We* think the producer, that is the capitalist, would say, in as much as he is in a condition to say it, "Either you work at my rate of wages, *or* you *starve*;" and he would call the *Englishman's* suggestion to the ryuts, not atrocious counsel, but atrocious nonsense; and we think we have shewn he would be right in so doing.

The second expedient for amelioration suggested by our cotemporary is emigration. The question is *where* are the emigrants to go to, and *out of what fund* is their passage-money, or journey-money, to be paid? These are little considerations not altogether unworthy of notice, and to which it would be as well, if the philanthophist of the *Englishman* would turn his attention, ere he recommend emigration, as a measure of relief.

Then comes another, and a more convenient method, according to this writer, which is to consist in "The opening out *new channels of production, which, by absorbing all available labour, would universally tend to maintain an increased scale of wages!*" !!!!!

Open out new channels of production, quotha! that is, we presume, increase the amount of capital devoted to the payment of wages, as compared with the number of labourers? If that is what he meant, we have only to observe, that it is very easy to say "open out new channels of production"; but that unless the *Englishman* is prepared to shew, that with increased capital, *i. e.* increased demand for labour, the numbers of labourers will *not* increase in proportion, we do not think his expedient would avail him much. The wages of labour in this country, is a mere subsistance to the labourer, and unless the *Englishman* can contrive to introduce *moral restraint*, and all that sort of thing, which supposes a knowledge in the ryut and labourer of the exact state of his position, and upon what *really* depends the probability of the increase of his wages; (a knowledge by the way of which his instructor, the *Englishman*, shews himself quite innocent) unless he can do this, he can do nothing to raise the rate of wages in this country. Besides which we are told that the labourer is already taxed to the utmost of his strength, by the exactions of his Zemindar and Government. What then would be the consequence of diminishing the numbers of

employed? why a throwing of much land now in cultivation out of cultivation. Nothing but a change in the proportion which the numbers of the labourers bear, to the amount of capital expended on labour, can give them an increased command over the necessaries and conveniences of human life, and when our political economist in question, shall have brought about this effect, he may then hope to ameliorate the condition of the labouring classes; for instance, *if he could persuade Government to expend on labour in this country the three millions of tribute annually remitted t England*, he might cure some of those evils of the wretched peasantry, over which he so feelingly laments.

Eliminate the dormant capabilities of the country, says the *Englishman*. *Eliminate*, by all manner of means, say we, and says every body else; only tell us where to *get the capital* to go to work with. But enough of this nonsense; we have dwelt so long upon it, for the mere purpose of showing, that the tone assumed by this writer in the *Englishman*, and his lectures on all manner of subjects, to the admiring public, are a happy compound of assumption without argument and of assertion without proof, which we, for once, have taken the trouble to point out, but which we shall spare ourselves the trouble of doing again for some time to come, on the principle that, *Le jeu ne vant pas la chandelle.—Hurk. April* 10.

Ignorance and flippancy generally go hand in hand, and we need not travel farther for illustration of this maxim, than the columns of our morning contemporary. That small portion of the public which is in the habit of perusing the sage disquisitions on finance and other branches of political economy with which the writer in the *Hurkaru* imagines himself to be acquainted, cannot fail to have observed the blundering ingenuity with which he has managed to get stuck fast in that little quagmire, which he has selected for the theatre of his muddy exploits. To use a significant term—he has put his foot in it, and in that ridiculous position is getting it right and left, from the parties, who had, of intention prepense, undertaken to draw out this small pretender to universal knowledge.* As if aware of the number of other customers who have accounts to settle with him, the "financialist," after throwing a whole column of heavy wet upon us, declares himself to be exhausted, and intimates the necessity of taking rest after such extraordinary exertion. We should be sorry to disturb him in his self-satisfied slumbers, but as it would be very inconvenient to wait until he awakes, which we are apprehensive he never will thoroughly, we must do a little violence to our notions of fair play, and take him to the pump for a few minutes, to see whether a dash of cold water will not have the effect of extricating his ideas, from the glorious obfuscation in which they seem to be involved.

We agnize with infinite humility, that we have very few pretensions to hold the rushlight of our small experience to the galaxy of talent which illumes the editorials of the *Hurkaru*, and quite put it out of our recollection that, in venturing to express our ideas on a subject, which is confessedly one of the chiefest importance in this country, we were poaching on the peculiar manor of the Cerberus of Hare-street. Hence the growl of encouragement which our labours have experienced; but having a shrewd suspicion that the bark of the toothless old animal is worse than his bite, we shall nathless make a further inroad on the forbidden territory, being tolerably well convinced there is nothing in it which is seriously worth powder and shot.

As the "financialist" seems neither to understand himself, nor to be disposed to interpret us fairly, we shall take the very opposite course as regards his sophistries and afford that patient attention to their refutation which many of our readers will think misplaced on so shallow a reasoner. In our article on suggestions as to the means to be pursued for ameliorating the condition of the labouring population of India, we intimated that there were three modes of proceeding; by combination, by encouraging emigration, and by opening out new sources of employment, giving preference, of course, to the last, as the most legitimate method of three proposed. We insisted on neither, but simply offered them as suggestions to all who, in a right spirit, desire to come to the examination of the question under consideration. The *Courier*, we perceive, quoted our remarks, not, we will undertake to say, in the perverse spirit which influenced the writer in the *Hurkaru*, but in the desire which should actuate every part of the press, which is above considerations of pique or personal enmity, to give to the public whatever it finds of utility in the columns of contemporaries. However, this point is scarcely worth noticing. As it would be hopless to convey to our readers in a condensed form, the pith of the objections which the writer in the *Hurkaru* has raised against our remarks, and as we intend to let him explain himself, so that on recurring to the subject a second time he may spare us and the public the further infliction of his learned dulness, we give the following sample of close reasoning, that we may have the pleasure, in common with those who take a malicious pleasure in the process, of plucking these jays of their finery.

"1st. To keep the the labour market under-stocked; which measure, he says, is by no means difficult of accomplishment; and he recommends it to be done by *combination*, (among the labourers, we suppose). They are

* In the bitterness of his dislike to one of the gentle men who he imagines write for this paper, our contemporary has spoken of him as the author of the article on which he yesterday bestowed his froth. We beg to enlighten him. The person who overthrew the speculations of the *Hurkaru*, on matters of finance and revenue, is not the person who has taxed our *brother's* political economy.

to *meet together*, (all over India?) and to say unto their task-masters:—"we will not work at the present rate of wages, but you shall employ all the capital now expended by you on labour, upon that portion of us labourers, which we will graciously permit you to employ; and the rest of the labourers whom *we* will throw out of employ, in order that we who work may get *their* wages divided amongst us, shall be supported out of (to use the *Englishman's* words) a portion of those funds, which might be devoted to the maintenance of those surplus hands who *are purposely* kept out of employment, in order that the main body may receive adequate remuneration for their work"!!! Now it appears to us first of all, that the *Englishman* may write till Doom's-day ere he can get up, and organize his general strike, and secondly, that supposing it took place, the capitalists, by holding out, would throw all India out of cultivation, and in the mean time, starve all the poor devils of ryuts, who live from hand to mouth; or else, drive them to desperation, and dacoity, for if they will not work they must needs rob or starve! And it is manifest that the *surplus hands*, as this second Ricardo calls them, could not have less assigned to them out of the 'increased amount of wages' by way of *maintenance*, 'to keep them purposely out of employment,' than they now get in the shape of wages for the work they do, and *that* for this simple reason, the wages of the labourer in India, or say Bengal, have arrived *at a limit, below which it is impossible to reduce them*!!—Wages of labour in this country, are at what is denominated the natural or necessary *rate* of wages; meaning (to quote Macullock) by necessary rate, the various necessaries, and accommodations required, to enable the labourers to exist, and continue their race, according to the prevalent habits and customs of the race to which they belong. In Bengal (says Mr. Colebrooke,) the necessary wages of labour are almost entirely determined *by the cost of the food consumed by the labourer*, but as this food, which is the simplest imaginable, and consists merely of boiled rice and split pulse, and salt to relieve its insipidity, is produced at very little cost, *a labourer is able to subsist on a mere trifle*, and the consequence is that the customary rate of wages is in common employments so low as 2½d. a day. Now, we ask, how much less than this sum, will the Ricardo of the *Englishman* assign for the maintenance of the surplus hands, purposely kept out of employ in order that the main body may get more wages. It appears that the rate of wages, is already only the amount of the labourer's absolutely necessary daily meal. If, therefore, our ameliorator should give him *less*, why he *starves* all his surplus hands; and give them *less* he *must*, or he has nothing, no fund, out of which to swell the amount of wages, as his main body, who are to be kept in employment! So far then, we submit, we have shown the strike and combination scheme to be, as we called it at starting, *diseased nonsense!*"

Now for pluck the first. The "financialist" ridicules the idea of the agricultural labourers combining, and assumes that they must accept the pittance which those requiring their services choose to tender to them, or starve. Every one must admire the philanthropic view which this doctrine takes of the duties which man owes to his fellow-man, at the same time that it goes no further to the point at issue than this—that the ignorance and wretchedness of the ryutty population are to be gloried in, as effectually preventing them from taking those steps for their emancipation, which have proved so successful with the working classes in England. This, from a Benthamite of unusual pretensions is somewhat startling, and we must wait, we suppose, his leisure "for some time to come," till we are favored with an explanation of this novel application of the greatest happiness of the greatest number principle. But does this writer, in his zeal to attack our positions, leave his own so unguarded as to forget that, combination has on more than one occasion been successfully essayed in India? Is not that of the palankeen bearers, a miserably under paid class, an instance in point? and is not the *Hurkaru*, at this very time, in accordance with its assumed tenets, upholding the combination among the shroffs? Is this latter also on the greatest happiness of the greatest number principle? We should like a straight-forward answer to this question. Supposing that our menial servants, our kansahmahs, our kidmutgars, our baboorchies, and our syces were to determine that they would no longer serve us unless we doubled their wages; should we be enabled to starve them into submission, or they us? Come; *Hurky!* speak up. Yes, or no? And what is to prevent the agricultural class from insisting on a remunerative return from their labor? The writer in the *Hurkaru*, with that superficial knowledge of a subject in which he so offensively volunteers to set us right, assumes that "capitalists" in India can always starve the labouring class down to that state of debasement, which consists in allowing them the privilege of air to breathe, and just enough of sustenance to keep body and soul together. Now, with the exception of those employed in the indigo manufacture, and in the opium cultivation, will this exceedingly informed personage point out where "capital" is employed to any extent in other branches of production? If he had ever passed in the course of his travels in India, very far beyond the boundary of the Marhatta ditch, he might have learned that the vast supplies of grain of every description, cotton, ginger, turmeric, madder, safflower, and other staples poured into this market, are not produced by "capitalists" in his sense of the word; but by innumerable small cultivators who are dependent for the assistance which they receive in tilling their fields, on a class still lower in the scale of society, who are partly day labourers and partly occupiers of patches of land, on their own account. These are almost invariably sown with paddy, of which a quantity is produced, not only sufficient for home consumption, but for the supply of the non producing inhabitants of the towns throughout the country. It is to the interest of both these classes to obtain a fair price, the one for their produce, and the other for the labor which is expended in its production; consequently their interests are identical, and not opposed to each other, as in the case of the capitalist and the operative, who has merely his labor to sell, as in England. The capitalist cannot do without the goods of the producer, and must buy, or break up his trade; but the latter can at any time raise the price of his commodities, by lessening the quantity of the particular kinds required by the merchant, and growing more of what is applicable to his own support.

And to a certain extent, the game is in the hands of the labourer also; if the small owner for whom he usually cultivates will not give him the price demanded for his labor, he can fall back on his own plot of ground for subsistance until such time that the producer brings the merchant up to his terms.

The writer in the *Hurkaru* states that wages are in their natural state in India. Now, without a pun, we mean to contend that they are in an unnatural one, and that it is the duty of the philanthropist to ascertain the cause and devise the remedy. Always drawing on the avowed Benthamite predilections of the Hare-street School, we again seek answer to another query directed to the same quarter—whether it accords with the greatest happiness of the greatest number principle, and with the honest discharge of a public writer's duties in India, impiedly to ridicule the pretensions of eighty millions of our subjects in India, to exist in a condition a degree removed above absolute wretchedness, in order that sugar may come a farthing or two per pound cheaper to the operative in London, or that the rice with which the planter at the Mauritius supplies his well-fed negroes, may stand him in one cent. less per bage? When these inconsistencies are explained, we shall take into consideration the expediency of sitting at the feet of this financial Gamaliel, and looking up in silent admiration to that genius, on which we have at present very reasonable cause to look down.

The "financialist" after admitting that the rate of wages to the agricultural population is so low as to have arrived at a *limit* below which it is impossible to reduce them, asks with much simplicity, in what manner it is proposed to "maintain the surplus hands purposely kept out of employ, in order that the main body may get more wages? It appears that the rate of wages is already only the amount of the labourer's necessary daily meal. If, therefore, our ameliorator should give him less why he starves all his surplus hands; and give them less he must, or he has nothing, no fund, out of which to swell the amount of wages of this main body who are to be kept in employment! So far then we submit we have shown the strike and combination scheme to be, as we called it at starting—dis nonsense." We also set out with an ass tion that ignorance and flippancy go hand in hand, and though we do not, after the self-sufficient manner of the writer of the "diseased nonsense" just quoted, venture to ask our fellow silly questions that we may return as silly answers to them, we shall, before we have done with him, give him as much of his ——, as the public will probably consider payment in full for the tone in which we have been assailed. We may reasonably, after the lamentable display just made, entertain a doubt whether the financialist is grounded in the simplest rules arithmetic, and it is with no hope of convincing him that we offer the following plain comment on the exquisite logic which we have had the patience to transcribe. Suppose that there are a body of 90 persons inhabiting a village in the Mofussil, who earn their ——— ance partly by cultivating small portions of ground, with grain; and that their labor is sought for by nine other persons in the same village, who raise agricultural produce of various descriptions, for the supply of merchants at a distant mart. These ninety persons finding the rate which is allowed to them for their labor inadequate to the degree of service performed, enter into an agreement among themselves not to work for the nine above mentioned, unless these assent to give them such rate of wages as shall be confessedly equitable. To ensure this result, they agree that one-third of their number shall be supported by the remaining two-thirds, until such time as the employers accede to their demands, and the rate of labor is permanently fixed at the increased standard. And we will further suppose that they select the time of the year, about the month of February, when the demand for labor is daily becoming urgent, and the rice crop of the preceding season has been all got in. Now we will assume that, the pittance which is usually offered them per man for their labor is two annas per diem, and they require three at the very lowest which can be expected to subsist in tolerable comfort an able bodied laborer with a wife and family. If the lands be not sown at the proper time—and even difference of fifteen days would be sufficient to cause the failure of particular crops, the opportunity would be lost; and it remains to be seen whether the producer would weigh the cost of the additional two rupees per mensem per man against the certainty of losing the season for that year. It must be borne in mind that the agricultural population of India, with the insignificant exception of the migratory dangahs, is perfectly stationary; and that it rarely goes beyond the immediate vicinity of its own villages, to seek for employment; and hence the impossibility of supplying the place of these who had refused to labor at unremunerative prices. Now the laborer being a producer also, it is evident that the reserved hands purposely kept out of employ until the system had taken root, would be maintained partly by means of the additional sums given to those allowed to work, partly by the produce of their own land rendered still more productive by the leisure available for its cultivation, and partly by contributions in kind from the working members of the confederacy. To the producer it would be a matter of little moment—perhaps rather of congratulation to find his indigent countrymen obtaining a fair remuneration for their labor. He would charge the difference of cost to the merchant, and the merchant would pass it on to the consumer; and thus the latter would have to pay a farthing per pound more for his sugar, or a cent. per bag more for his rice, instead of this trifle being attained at the expense of the misery and degradation of a whole people, whose interests we are bound by every principle of justice to consult before those strangers.

We are not arguing just now on the policy of the expedient, nor have we yet offered more than a mere suggestion on that head; so that we anticipate any misrepresentation on that point. We are endeavoring to controvert the dogma of the "financialist" that the misery of the laboring population is such, that, under no circumstances can they combine.

In making out his case, those who do us the honor to weigh the arguments adduced on either side, will scarcely fail to observe that the writer in the *Harkaru* has fallen into the egregious error of confounding the capitalist with the producer; whereas it will be sufficiently evident that the merchant is the only real capitalist, and that the producer is only a degree removed above the labourer, whose assistance is not unfrequently secured by a participation in that produce, which the former, having little capital, is by this means enabled to bring to market. We dwell on this point in order to exhibit the slender grounds on which our positions have been impugned, and the small skill which it requires to parry the attacks of so ill provided an assailant. The suggestion to emigrate next attracts notice, and questions are asked, where are the people to go to, and who is to pay the expences of their passage by land or water? The latter interrogatory might be answered in the former. A few years ago the emigration of labourers to the Mauritius was unthought of; it has been hinted, as having been speculated on for the supply of the West Indies, and is engaging attention to Australia; so that it would be premature, under these circumstances, to pronounce that there is no opening for the population in this direction.

The last point on which our financialist takes us to task, is recommending the elicitation of new sources of employment which would abolish much of the surplus labor which presses on the market. "O!" says the self-satisfied reasoner, "it is of no use; population would increase faster than employment, and the people would just be as badly off as ever." Excellent logic! and so, to carry out a fallacy of the schools, taken on trust, and adapted to latitudes widely different from these, the vast population of this country is to be left in unimprovable neglect! "Besides, where is the capital to come from?" In the name of all that is astounding does this pseudo economist so palpably betray ignorance of the A. B. C. of his profession, as to require to be told that in a country like this, the resources of which are only beginning to be developed, *labor* is capital; and that every able bodied man in it "is a valuable unit of the convertible mass of unconverted wealth."

But as our mentor with curious accuracy expresses it of himself, "enough of this nonsense; we have dwelt so long upon it, for the mere purpose of showing that the tone assumed by this writer in the *Harkaru*, is a happy compound of assumption without argument and assertion without proof." We cordially subscribe to this remark, altered only in a single word, and at parting, have a word of advice to tender to the author; which is, to think on a subject before he undertakes to dogmatize on it, and before he ventures a second time to attack us or any other contemporary writer—to measure his man.—*Englishman. April* 11.

EUROPEANS PERMITTED TO HOLD LANDS IN INDIA.

This evening's *Gazette* contains an Act of some importance,—Act No. IV. of 1837, making it lawful for British subjects of every class to hold land in any part of the Company's territories. The draft of this Act was published at the beginning of last year, and we remarked upon it at the time, that, in the shape then presented, it went beyond the provisions of the Act of Parliament which it was intended to carry into effect, for it extended the right to *aliens* as well as to British subjects. The same objection, we now find, was taken to it in England by the Court of Directors, an extract from whose despatch on the subject is published to-day in explanation of the motive for altering the words of the Act so as to exclude aliens. The restriction of this right to British subjects, besides being in conformity with the spirit of British legislation and with the evident intentions of Parliament when the Indian question was considered in 1833, we hold to be correct in principle, though in the application it may produce inconvenience to persons who have lost their own nationality, without being admitted, as they wish to be, into the community of the British nation, in whose allegiance as well as protection they desire to participate. That inconvenience should be met by facilitating the conditions of naturalization, especially in the case of the Armenians, and uncertainties of existing tenures from the uncertain state of the laws hitherto should be removed by special enactment; but to allow "*persons of whatever nation* to acquire and hold in perpetuity, or for any term of years, property in land," is to allow an enemy, secret or declared, to acquire by purchase the means of commanding the labor and controlling the will of your own population,—the means of influencing their votes at elections and indirectly governing the country. In the case of a great power like England, such an objection is merely theoretical; but a petty state might find its safety and independence in great jeopardy, were the subjects of a powerful neighbour allowed free access to all the rights

of her citizens, and especialy to this most important of all,—the right of possessing land, for that is a right to be acquired only by dispossessing another;—and the possibility may be conceived, that the whole surface of the soil might thus become alienated from the natural-born citizens, and that these, in consequence, with all their municipal privileges untouched, and their mercantile and other moveable wealth, notwithstanding, might all of them have notice to quit the land of their birth, issued at the orders of their foreign and absentee landlords.

Another Act is published in the shape of a Draft proposed for reconsideration at the first Meeting of the Legislative Council after the 6th of June next. The object of this Act is to apply to the Commercial Code of this country, the reciprocity system with respect to flag, now prevailing in the Commercial relations of Great Britain and the United States, with many European powers and with the various South American States.—*Calcutta Courier, April 26.*

By a government notification which we published yesterday, it appears that the Company have been graciously pleased to confirm that part of the Act 3 and 4 William 4. c. 85, which permits British subjects to hold property in land in any part of their dominions. In these they seem to have followed the example of the Negro King, who, we are told by travellers, was in the daily habit of making proclamation, that the royal appetite being satisfied, all the sovereigns of the world were welcome to go to dinner. They have not forgotten to add "you will take care to make such provision as may be requisite for the adequate protection of the natives of India." We shall see whether this provision will make any distinction between the authority now vested in the native landholder, and that which will be conferred upon the European. If it should, the stigma thereby affixed to the British subject, will be most unmerited, whilst at the same time the whole intention of the Act will be defeated, for under the present revenue system it would be impossible for the landholder to make good the sums due to Government, unless he, in his turn, were furnished with authority almost equal to that which is exercised upon himself.

If the protection and improvement of the natives of India were really desired, it is obvious that every encouragement would be given to British subjects who chose to become proprietors of the soil. To talk of dispossessing an at proprietor's is a farce. They may be dis- by the pressure of taxation, as we and the question then is whether advantage to the sate would accrue from acing such proprietors by a person who pursue the same system that has ruined their predecessors, or by those who, bringing capital, energy, and the accumulated knowledge of a more civilized country to bear upon their new acquisition, have the fairest prospect of improving the country as well as their own fortunes. It is not likely that any great number of Europeans will settle permanently in this country; when estates are to be sold, they are much more likely to suit native capitalists who are seeking for an investment, and who attach notions of dignity to the station of landholder, than to attract British speculators, who are generally anxious to leave the country, and who are not enamoured of Company's law and revenue system. If then it should be found that Europeans are desirous of purchasing some particular tracts of land, it may reasonably be inferred that they possess the means of improving them and rendering them vastly more productive than has hitherto been the case. The state will not only be the gainer by the direct increase of wealth which these adventurers may acquire, but by the stimulus which the right of their success must inevitably give to the great body of native proprietors. The same reasoning holds good with regard to aliens whose fate is not yet determined by the august Company. Even the *Courier* thinks they could not do much harm in "so large a territory as India, though in some small state (England for example?) they might buy up the whole country and turn out the children of the soil. This is truly an amusing speculation. It would do one's heart good to find the Holy Alliance clubbing purses, like Tory boroughmongers, to buy up the land. For our part we would willingly give them leave to invest their spare funds in that way, and should think that all they could obtain would be rather a security for their good behaviour than an injury to the natives. They could not carry the island away to make the pedestal for a new imperial statue, nor even acquire the dueal privilege of doing what they like with their own, unless their likings happened to conform to those of the parliament. In fact, however wise the policy of excluding foreigners may have been in the middle ages, when every landholder was required to do military service, and when every great landholder was almost an independent power, it is clear that such restrictions are not applicable to the present state of society, when the greatest subject is as much hedged in by laws as the least, and is compelled to use his property within the strict limits which the refinement, of modern society have assigned to it.—*Englishman, April 28.*

The Court of Directors have at length consented to permit Europeans to hold lands in India, and have sent out orders by the overland despatch to give the force of law to the draft of a Regulation which was promulgated on this subject two years ago. Every thing connected with this great question of Indian colonization, is curious and instructive. It is curious to trace up the reluctance of the Court of Directors to the settlement of Europeans in India, to their early dread of commercial interlopers. It is curious to perceive with

what tenacity the Cabinet of Leadenhall Street, have clung to this line of policy, through every successive change in the Court of Directors. It is curious to remark, that long after the factory had swelled into an empire, and the mercantile character of the Company had been merged in their imperial attributes, and the exclusion of Europeans from all connection with the soil of India had become a glaring anomaly, this jealousy of their countrymen still continued to haunt their councils. But the circumstances connected with the abandonment of this system, form by far the most curious and instructive part of its history.

The progress of liberal opinions among the King's Ministers, led, as the reader well knows, to the insertion of a clause in the New Charter, which granted permission to Europeans to settle, and to purchase estates in India after the month of April, 1834. An Act of Parliament, however omnipotent in its own essential character, is of no validity in India till it has received the stamp of the local Legislature, over whose proceedings the Court of Directors exercise an absolute control. But these Acts, though not binding on the officers of Government, are as binding on the Court of Directors, as they are upon the Court of King's Bench; and in neither case is there any option but that of immediate and unconditional obedience. Yet strange as it may appear, it is not the less a fact, that one of the most important provisions of the last Charter, has been kept in abeyance for more than three years by those to whom the execution of it was confided. This would naturally lead the mind to the conclusion that the Court of Directors possessed some authority for dispensing, during an indefinite period, with Acts of Parliament; but this is by no means the case; and if the people of England felt any interest whatever in the question of Indian colonization, a hue and cry would long since have been raised on this subject. In fact, the guilt or innocence of disobedience to the highest authority in England, appears to depend much on the prevailing tone of public feeling. A hundred and fifty years ago, one of our sovereigns assumed this dispensing power, and the Nobles and Commons of England not only took away his crown, but deprived his family of the throne. But in the present instance, a subordinate body, created by the vote of the Legislature, has ventured with absolute impunity to dispense with an Act of Parliament for three entire years; and to dispense with it in so palpable and deliberate a mode, as if it was intended to draw the attention of the public to the transaction. A twelve months after the orders in Parliament ought to have been made the law of India, the draft of a Regulation embodying this enactment was promulgated in this country:—but it had scarcely seen the light before it was placed in a state of suspended animation by specific orders from home. The draft was transmitted to England in August, 1835, and arrived, it is presumed, some time in January, 1836; after which it remained unnoticed more than twelve months, for it was not till February 1837, that the Court of Directors wrote out to their Governor-General in Council granting permission for the enactment of the proposed Regulation.

The despatch of the Directors, dealing as it does with an Act of Parliament of paramount authority, is a most singular document. The Court have therein published to the world, that the reasons which induced them to concede the question of European colonization in India, were, the Act of Parliament and *the recommendation of their own Boards and offices.* Is not this tantamount to giving to the opinion of the Boards a higher authority than to the orders of the Supreme Legislature? Does it not encourage the idea, that if the advice of these local functionaries had been opposed to the Act of Parliament, the Act would not have been carried into execution at all? It wears the unpleasant appearance of an intention to degrade the authority of Parliament. Any attempt on the part of the Court of Directors, who stand mid-way between the Parliament which created them, and the officers whom they have created, to represent these bodies as being in their view entitled to equal consideration, is, to say the least, highly injudicious. The Court only injure their own dignity when they lower the estimation of that body to which they owe their existence. An Act of Parliament is in its nature imperative, and should not thus have been placed in association with the reports of Boards, which the Court of Directors are at liberty at any time to reject.

The Directors have embraced the opportunity of this despatch to draw the particular attention of their servants in India to that section of this Act of Parliament which directs that the protection of the Natives should form an object of particular solicitude. This recommendation would certainly have possessed greater weight if the Directors had not afforded a specimen, in their own conduct, of the very unceremonious mode in which it was safe to treat Acts of the Supreme Legislature. The insertion of this clause appears to be intended to convey the idea that the colonization of Europeans is likely to compromise the welfare of the people. But what oppression of any of the new European landholders can exceed that which the Native Zemindars have practised towards their tenantry, ever since they were raised from the condition of Collectors of rent, to that of Proprietors of the soil? In the perpetual settlement no adequate provision was made for the protection of the ryots, and they have been ground to the dust by oppression. Their condition does not admit of any aggravation of misery; and if European colonization produces any change in their condition, it must be for the better. And we feel confident, from the general features of the European character, that under English Zemindars the welfare of the tenantry will be greatly improved; that is to say, as far as the European character can be reflected in the

management of estates.—*Friend of India, May 4.*

The *Friend of India* has, we think, taken rather a mistaken view of the object and intent of the recently enacted law, respecting the power of Europeans, to hold lands in the interior. The act of Parliament which gave that power, could neither be suspended nor confirmed, by any act or omission of the Court of Directors; the moment it was published in the official organs of this Government, and, strictly speaking, even before that publication, every subject of this country and every officer of the Company, became bound by its enactments, and bound to be cognizant, of all and every of its provisions. British born subjects could hold lands in the Mofussil just as well, and as legally before the passing of No. IV. of 1837, as subsequently thereto; but the Court have availed themselves of the terms of the last charter, touching the landholder's clause, to practise a very happy, and ingenious piece of state craft, by which the contemplated holders, and the lands they shall inhabit, shall be brought quietly and comfortably, within the equal despotism principle, and made subject to Justice, equity, and good-conscience Law, by the very measure, which the Court will, we doubt not, vaunt of, and hold up to the admiration of the world, as a noble instance of liberality, and a direct and irrefragable evidence, that the views and intentions of the Court are far more liberal, and tolerant of colonization, than those of the British Parliament itself. Let us then proceed to anatomize, and lay bare, the ingenious process by which this splendid piece of legislative despotism is effected, under the disguise of a measure of extension of rights. The Act of Parliament, commonly called the last charter, says, that natural born subjects of the King, shall be enabled to hold lands, within such part of the Company's territory, as was in the possession of the Company, in the year 1800. Well, we are not told why this restriction is imposed, nor do we discover why, till we find that this reservation, was made for the purpose of playing off a state juggle, by which the Act of Parliament is attempted to be evaded. The Court say with great magnanimity, "This provision is the offspring of narrow views, and mean sentiments; it may be worthy of the British Parliament, but it is unworthy of us; we will, therefore, do away with the unworthy restriction, and pass a local Law, enabling such parties as the act describes, to hold lands *anywhere*, and in whatsoever part of our dominions, such parties may think proper, without restriction or limitation, either of time or place." Here we have the magnanimity clause, and undoubtedly it exhibits the exercise of a power which is given to the Company by the act, and very probably so given, with the very *bona fides* intention now brought into operation. This great and liberal enactment established, we may congratulate ourselves on the sudden change which has all on a sudden, fallen like inspiration upon the Councils of Leadenhall-street; but when a man throws down a *wall* of separation and exclusion, before we exult, let us be sure that he has not dug a *ditch* of interception, and look before us; or, probably, we shall discover that all our gain consists, instead of being stopt by the wall, to find ourselves boggled in the mire. Having opened the gate of all India to all comers, being natural born subjects, they then proceed, on the pretence of that clause of the charter, which directs that the local Government shall take measures for the protection of the natives, to pass a concurrent proviso, that all lands so held and the holders thereof, in respect thereof, shall be and continue subject to the very same laws and regulations as the natives themselves. Thus, by a contemptible manœuvre, do the Court of Directors attempt to outdo Shakespeare's witches; to do more than keep the word of promise to the ear, and to do more than break it to our hopes. This, in our view of the subject, is the real explanation of the recent measure for extending the right to hold lands in the interior, by British natural born subjects. In this manœuvre, the Court have illustrated the uses of an act of Parliament much in the same manner as the subtle Frenchman defined the use of speech. "Speech was given us," said he, "to enable us to conceal our thoughts." The Court says, "an act of Parliament to empower Europeans to settle and hold lands in India, is given us, to enable us to prevent them from so doing."

The second clause of the act No. IV. of 1837, of this Government, is as follows:—

"And it is hereby enacted, that all rules which prescribe the manner in which such property as is aforesaid, may now be acquired, and held by natives of the said territories, shall extend to all persons, who shall under the authority of this act, acquire or hold such property."

Now we must confess, that with the best exercise of our judgment, and even giving some scope to our imagination, we cannot divine what can be the object, or meaning of this clause, if it be not to frighten such natural born subjects as aforementioned from having or holding lands in the Mofussil. We cannot imagine how it is possible, supposing a transfer of such lands from a Hindoo or a Mahomedan, to an English, Scotch, or Irishman, all such rules as prescribe the manner in which such property shall be held by Natives, Hindoo or Mussulman, can be brought to bear in the case of European British subjects. Supposing that an Englishman buys and takes up his residence on an estate in the Mofussil, and that he dies intestate, leaving a family, does this clause mean, that his property is to be distributed according to the Hindoo Law, or the Mahomedan, or both? Under this clause, it must be distributed according to ALL the rules, which prescribe the manner in which property may now be acquired and held by natives of these territories. How law of any kind is to be administered or can be administered under

such a position, surpasses our comprehension. We are staggered at the monstrous unintelligibility of such legislation, and will be thankful to any of our contemporaries, readers, or correspondents, to furnish us with a clue wherewith to unravel this mystery: we candidly confess our total incapacity to solve the problem.—*Hurkaru, May* 8.

After more than twenty years' debate, permission has at length been given to Europeans to colonize India; and it becomes a matter of some interest to enquire how far, under existing circumstances, they are likely to avail themselves of it. There can no longer be any doubt that upon their settlement in India rests whatever hopes may be formed of the future improvement of the soil. Our expectations of any beneficial exertion on the part of the Native landholders have died away. During the period of forty-five years, in which they have enjoyed a more absolute control over the land than private individuals have enjoyed within the memory of Indian history, they have scarcely made a single effort to improve their estates by agricultural skill. Occasionally the picture of a lenient landlord has relieved the dreary uniformity of oppression which the country presents, but as regards any real improvement of the soil, Bengal has been stationary during this period; and it is to be feared that in many parts it has even gone back. Neither the establishment of an Agricultural Society in the Metropolis of India for more than sixteen years, nor even the translation of its Transactions into the vernacular language, has succeeded in producing any beneficial influence on the views or practice of the Zemindars. They still continue to rest their hopes of larger profits on their success in squeezing the ryots, and not on the improvement of their estates. It is, therefore, to the settlement of Europeans in India with their characteristic energy and skill, that we must look for that progress in agriculture, which shall enrich, primarily the cultivator, and through him, the landlord and the state. And the more Europeans can be encouraged to colonize, the brighter will be the prospects of the country. The primary obstacle to their settlement in India, arising out of the positive prohibition of Government, has now been removed. But there are, we fear, other and perhaps more formidable obstacles to colonization, which will long continue to operate against the best interests of this country, which we shall very briefly enumerate.

The absence of any congeniality in the climate with the European constitution, is a serious objection to any scheme of colonisation. This may in some instances be overcome by long residence; but rarely without a sacrifice of European habits, and the adoption of Asiatic usages; and if those be perpetuated through two or three generations, the family of the colonist will gradually lose the distinguishing features of the European character. To a European who has received a liberal education at home, moreover, it is naturally a matter of most paternal solicitude that his children should receive an equally good education; but many years must elapse before this country can present any counterpart of an English College. And even when seminaries equal to those in our Native land shall have been reared, there will still be wanting those national associations, which being implanted in the mind in childhood, accompany us through life, and impart a hallowed feeling to every recollection of our native land. These associations the colonist must consent to forego, if he domesticates himself in India. The attractions must, therefore, be much stronger than they are at present, to induce an Englishman to deposit the hopes of his family in such a climate, and amidst associations such as this country affords. If a colonist be desirous, as he naturally ought to be, that his family should not sink to the level of Asiatic habits, he will find the only remedy of this evil to consist in frequent communications with England, from which the bodily and mental constitution may receive an accession of new vigour. The establishment of Steam packets, on a broad scale becomes therefore, a matter of increasing importance to the welfare of this country.

The present state of local jurisprudence, is also such as to deter from colonization. We do not allude so much to the privilege of appealing to the Supreme Court, which has recently been taken away; because when it was enjoyed, it was never appreciated; and nine-tenths of the European community in India "took no note of it, but from its loss." We refer to the whole system of jurisprudence in the Mofussil, to the inefficiency of the local Courts, to the bribery and corruption of the Amlas, to the delays, the inconvenience, and vexation to which a colonist must be subjected in an attempt to support his rights in these tribunals. Those who have a prospect, or even entertain a hope, of leaving the country, may confront these difficulties for a time, and sustain their minds amidst daily vexations, with the hope of eventually grasping the prize of independence; but few men would place themselves or their families permanently within the reach of such grievances. It is therefore a duty on the part of Government to introduce such reforms into the local Courts as shall on the one hand prevent the oppression of the Natives by the European Colonist, and on the other hand afford him the best security for the enjoyment of his rights.

Added to the grievance of the courts, are the perplexities connected with the acquisition of landed property. There does not perhaps exist any country in the world, where every circumstance connected with landed property is on a more unsound and unsatisfactory footing. Through the supineness of the European authorities during the last fifty years, the natives have had leisure to mature their national chicanery into a system, the baneful effects of which are in no case so fully developed as in regard to landed property.

After a European, for instance, has purchased an estate from Government, and faithfully paid the consideration money, his first duty is to find his purchase. From the Collector's office he may indeed receive some general intimation of its locality, but, in the strict sense of the word, he does not obtain possession of it. On the contrary it is the object of every officer about the Court, to prevent his knowing any thing whatever about it, or about its boundaries. When he proceeds to enter upon the land, he finds half a dozen claims advanced by his neighbours to various portions of it; the old proprietors vex him with fictitious demands, and drag him into the Courts; and the colonist who hoped to obtain quiet possession of an estate, and to make it the scene of improvement, finds himself involved in half a dozen law suits, which continue through as many years to distract his attention, and to exhaust his purse and his spirits. The attention of Government is particularly needed, therefore to correct the irregularities and supply the deficiencies of the present system of giving possession of estates sold by public auction.

But the greatest difficulty in the question of Indian colonization is to retain an estate after it has been purchased, found and improved. Government have declared in the Regulations that every bigah of land in India is hypothecated to the State; and that if the interest of the bond,—that is, the rent of the land—be not paid up punctually, month by month, they are at liberty to foreclose the mortgage, and sell the estate, for whatever it will fetch. Should there be no bidders to an extent sufficient to cover the arrears of revenue, the State will purchase it for a rupee. However vexatious this course may appear to those landholders, who desire honestly to transmit the Government share or the produce to the public exchequer, the moral character of the great body of Native proprietors gives the authorities no choice between this procedure, and the entire sacrifice of the revenue. Government are obliged in the case of the land revenues of India, to legislate in reference to the worst portion of their subjects, and unfortunately this is by far the most numerous class. The honest are therefore subject to inconveniences, arising out of the misconduct of the dishonest, who never would pay a stiver of the public dues, if there was any chance of evading or postponing payment. We state this fact, not to censure the arrangements of Government, which have been dictated by stern necessity, but to shew how difficult it will be for colonists of honour and integrity to settle in a country, where all the rules which refer to the question of land, are based on a mistrust of the native landed proprietors. In these circumstances, a European colonist could scarcely venture to quit the country, but at the risk of losing all the fruits of his industry, by the first calamity of the seasons, even supposing there to be no misconduct on the part of his agents. The first intelligence which he might receive, if he proceeded for a season to England, would probably be that the estate on which the hopes of his family rested, had fallen into arrears, and had been brought to the hammer.

Our remarks last week regarding the dispensing power of the Court of Directors, have called forth the remarks of several friends, and of one of our contemporaries. We never supposed such a power to exist in that body, though it has been virtually exercised for three years. Doubtless an Act of Parliament is binding in the East from the moment fixed for its taking effect; but in the present case, this singular anomaly has been presented to the mind, that for three years after the maturity of the Act, a variety of Regulations which had been framed expressly to prohibit, that which it was the intention of the Act to allow, were permitted to remain on our code. These enactments, should not have been allowed for such a length of time to stand in hostile array against each other. To the most cursory observer, it was moreover evident that the conduct of the executive government in India in reference to the purchase of lands by Europeans was regulated rather by the idea that the Court of Directors had not yet issued their final orders on the subject, than by the fact that Parliament had passed an Act regarding it, from which there could be no appeal.

However unseemly the delay in carrying the Act of Parliament into execution may appear, we think that the public have obtained a satisfactory compensation for it, in the superior privileges which have now been conceded to the colonist. Many, indeed, will feel disposed to attribute this delay to the imperfection of the Act rather than to any indisposition of the Court of Directors to admit Europeans to settle in India. The Act, by a strange oversight, gave permission to Europeans simply to hold lands for a term of years. This might have been interpreted to signify either that they were not to be allowed to hold lands in the permanently settled districts, or that the perpetual settlement in Bengal, Behar and Orissa was to be set aside, whenever a European happened to purchase lands in either of these provinces. This anomaly the Court of Directors have now corrected by allowing Europeans to hold estates either for a term of years, or in perpetuity according to the tenures of the lands they may purchase.—*Friend of India, May* 11.

Look! a new law of the land and so little—Oh! my Early Lessons in Brevity.

To the Editor of the Bengal Hurkaru.

Sir,—*When you do not well know your own meaning, let others guess it*:—this is a sound maxim for Governors who look one way though obliged to row another, and who pass a law they do not like. Use vague and large terms and keep the interpretation in your own hands. *Fraus latet in generalibus*, said the Schoolmen; *certainty to a certain intent in*

every particular is unnecessary, quoth Sir Edward Coke in treating of the notable science of special pleading, it is enough to have *certainty to a common intent in general*. Shortness in laws is highly productive of this last degree of certainty, which, as every body must see, is convenient enough to the—law-makers. The true principal in India is, that no body has any occasion to understand a law if the Council does. Where the legislative power is the same thing as the executive, and the judicial is absolutely dependent on the latter, the ultimate construction of all law must plainly reside with the STATE.

The Court of Directors have ordered the local Government to publish, and the local Government have published accordingly Act No. IV. of 1837: they had better have put it in the *Balaam box*. If we had merely to deal with the old race of legislators, deriving authority from the Company only, we should not have so much cause to be surprised at impertinent usurpations of authority, and less opportunity of amusing ourselves with the language of law. But it is never to be forgotten that we live in the midst of a regenerating race of law-givers, who are to reduce the wording of laws to an old simplicity, while they undertake at the same time to adapt them to a state of Society that has neither the advantages of early simplicity nor those of advanced civilization.

The sole secret of our law-givers to out do others in manner, is *brevity*, which is the cloak not merely of indolence in their case, but of profound and consumate ignorance of their business. A short criticism of Act No. IV. will make this a plain matter even to their partizans. I presume that every body knows that since the last Charter to the Company every subject of his Majesty, wherever born, could acquire and hold lands for any term of years in the territories *of his Majesty (farmed to the East India Company) and acquired by the national arms before* 1800. I presume almost every body knows also, that the corporation of the East India Company advanced for years the impudent pretension that, independently of a right to the reimbursement of their capital stock, these territories were THEIR PROPERTY. Men will hardly learn this distinctly and clearly from the cunning and one-sided narrative argumentation the late Mr. James Mill has been pleased to call a *history*, in which *history* there is a double end, the last contradicting the first, because he began to write as a *historian* (as far as such a man could conceive his vocation) and ended it as a paid advocate of the worst sort, and of the worst and most sordid corporation existing *in England*; but those who read and judge for themselves, even by reading this miscalled *history*, and without consulting the original authorities, which he has in more than one instance suppressed, will find out, that this pretension of dominion which we suppose no one will now gainsay us if we call an impudent pretension, was, to the last obstinately adhered to by the East India Comapany.

It may well be said so: the title of the last CHARTER OF FREEDOM, is "an Act for effecting an arrangement with the East India Company, and for the BETTER GOVERNMENT OF HIS MAJESTY'S INDIAN TERRITORIES. By that Act as we have said, any subject of His Majesty, ... Englishman, might hold land any where in any part of India possessed by England, before 1800; let us see the practicable comment of His Majesty's Indian Government modified by that of the East India Company, and now under the guidance of that wise servant of his Majesty, Lord Auckland.

ACT No. IV. OF 1837.

1. It is hereby enacted that after the 1st day of May nex it shall be LAWFUL for any subject of His Majesty to acquire and hold in perpetuity, or for any term of years, property in land, or any emoluments issuing out of and in any part of THE TERRITORIES OF THE EAST INDIA COMPANY!!! Why, we thought they were His MAJESTY'S INDIAN TERRITORIES, vested in the East India Company for a term of years with an express condition that this Company should set up no claim of dominion, advance no pretension to any profit, beyond the payment of the dividends on their CAPITAL STOCK, and that seeing the terms of the bargain was sure enough, we now find, however, under the authority of the language of a LAW, emanating from the workmen of a CODE, and men, who legislate for the perpetual generations to come, of one hundred millions of other men, and who measure their words with such care that they will not spare one, even to be understood, we find, I say, that we, Englishmen, are living in THE TERRITORIES OF THE EAST INDIA COMPANY!—The sceptre is disjoined from the Crown, and the Scribe and the Pharisee and the Publican, are set in the high places between the King and the people; between the one nation and the other there is a corporation of——the usual integrity.

After this extravagant blunder in the first section of this Act, it seems hardly worth while to criticize the second; but that too would have been unique in its way, unless we had had experience of philosophical lawgivers. "II. It is hereby enacted that ALL rules which prescribe the manner in which such property as aforesaid may now be acquired and held by NATIVES of the said territories, shall extend to ALL persons, who shall, under the authority of this Act, acquire or hold such property!!!"

May we be defended against holding such property, UNDER THE AUTHORITY OF THIS ACT! What ALL the rules which apply to NATIVES? Shall an Englishman then, have the rules of Hindoo succession, the rules of Mahomedan succession, the rules of partition in BOTH cases applied to him, as well as THE LAW OF EQUITY AND GOOD CONSCIENCE?

Or is it meant, that we should IMPLY that only such rules as APPLY, "shall extend" to English holders? That is perhaps what is meant, and it is precisely what is not said, pregnant example of the consequences of the affection of brevity in laws. To be brief in writing laws men must understand the subject matter, be single-minded and straightforward in purpose, despising intrigue, defying influence and dictation, to escape contempt themselves.

Our Law-makers have not a common knowledge of the meaning of words. The second section of this Act No. IV. expresses every thing they do *not* mean to express, nothing that they do: it expresses that all the rules of Hindoo and Mahomedan law relating to succession, shall apply to Englishmen, all the complicated rules relating to regulated partitions of natives estates under the authority of Regulations. It does not *express* that all rules relating to the payment of *revenue* and sales of property in case of default, shall apply but by a general implication involved in the blunder of the whole generalization.

The entire secrets of our law-givers are to be summed up in two words which constitute their claims to rule us and their titles to philosophy, BREVITY and UNIFORMITY. They are original at least as legislators, uniformly dark, and briefly nonsensical. I can give a specimen both of brevity and nonsense, from an auction catalogue which is quite as good as specimen of style as our law.

"FOR SALE,"

"Jack, a bull-terrier, excellent for cats single-handed." Now what does this mean? It does not mean that the *cats* think Jack an excellent dog, or that he is a good dog for them, they are of a contrary opinion—It means that Jack let alone, kills cats very quickly—which is precisely, what is not expressed by reason of brevity. I wish our lawmakers could learn and would attend to the Cat's opinion.

NOUS VERRONS.

Hurk. May 11.]

☞ We shall perhaps offer a few remarks on this subject to-morrow or the next day. We have no leisure to-day and do not wish to delay the appearance of this letter.—ED.

The *Hurkaru* and the *Friend of India* find fault with Act IV. of 1837, the former as defective in words, and thereby seeming to impose conditions which cannot be intended; the latter as a piece of arrogant legislation, put forth by the Court of Directors with affected liberality. *The Friend of India* seems to regard this Act as a proof that the Court assume their consent to be necessary to render an Act of Parliament operative in this country. We can perceive no reason for such a conjecture. The Company's Government has not exceeded its province, nor loaded the Indian Statute book with unnecessary legislation in this instance. The Act of Parliament (Sec. 83), only gave a British subject the right of holding lands "for any term of years, in such part or parts of the territories as he shall be so authorized to reside in." Here is a double restriction, the tenure of a "term of years," and the right of residence, which in a preceeding Section (78) is restricted to "such of the said territories as were under the Government of the said Company on the 1st day of January, 1800, and in any part of the territories ceded by the Nabob of the Carnatic, of the province of Cuttack and of the settlements of Singapore and Malacca." But in the same clause (83) there follows a proviso:

"That nothing herein contained shall be taken to prevent the said Governor-General in Council from enabling, by any laws or regulations or otherwise, any subjects to his Majesty to acquire or hold any land or rights, interests or profits, in or out of lands in any part of the said territories, and for any estates of terms whatever."

Hence it will be observed, that it was left to the Indian Government to *extend* the privileges of British subjects in regard to the holding of lands, beyond the above limits of territory and "for any estates or terms whatever." This has been done and no more by the Act in question, which declares that "it shall be lawful for any subject of His Majesty to acquire and *hold in perpetuity* or for any term of years property in land, or any emoluments issuing out of land *in any part* of the territories of the East India Company." The *Hurkaru's* exception is to the wording of the second clause:

"And it is hereby enacted, that all rules which prescribe the manner in which such property as is aforesaid may now be required, and held by natives of the said territories, shall extend to all persons, who shall under the authority of this act, acquire or hold such property."

By which, observes our morning contemporary, it might be implied that an Englishman buying land would subject his property to be administered according to Hindoo or Mahommedan law at his death. We shall not attempt to defend the phraseology of our Indian legislators who have earned a reputation for brevity at the expence of their perspicuity. We think, however, the objection taken in this instance is of no real importance, and that no real difficulty of interpretation will arise out of the faultiness or ambiguity of expression here pointed out.

A correspondent of the *Hurkaru* to-day, under the signature of NOUS VERRONS, takes a very just exception to another expression in the Act quoted above—"*the territories of the East India Company.*" This is a common mode

of expression in speaking of the territories under the Compa[illegible] Government, but official and especially legislative Acts, should be careful to avoid expressions that, in their literal sense involve a false principle or an error of fact. The Charter Act of 1833 no where speaks of the Indian territories as the "territories of the East India Company," but as territories of which the government and *possession* were continued to them. In like manner the wording of Act IV. of 1837 should have run (as in the 1st clause of the English Act) "the territories" *in the possession and under the Government* "of the East India Company."—*Cal. Courier, May* 11.

The *Courier* concurs in the censure passed by our correspondent NOUS VERRONS, upon the sovereignty assumption clause of Act No. 4, of 1837, but our contemporary does not appear to agree with him in his further, in our mind very just, animadversions upon the second clause of this new specimen of legislative skill. Our contemporary may perhaps recollect that a few days ago, we invited our co-labourers of the Press, as our readers, simple and gentle, as the old story books say, to kindly afford us their assistance in "eliminating," as the learned *Englishman* and Mrs. Malaprop would say, thereby meaning "eliciting,"—though, by the way, "elimination," means "the act of banishing"—in eliciting some intelligible meaning from the words which compose the second clause in Act No. 4, of 1837; but our request has not been responded to, and our contemporary, instead of explaining the latest sense, and laying open the hidden and recondite intent and object of this clause, contents himself with thinking that no real difficulty of interpretation will arise out of the faultiness, or ambiguity of expression, in this part of the act. Now, for our own parts, whatever ambiguity there may be in the intention of the framer of this law, as to its operation, we cannot for the life of us discover the least ambiguity *in* the expression. The words are as direct and positive as words can be. "And it is hereby enacted, that all rules which prescribe the manner in which such property as is aforesaid may now be acquired, and held by natives of the said territories, shall extend to all persons who shall, under the authority of this act, acquire or hold such property." Here surely is no ambiguity in the expression; it is directly laid down by this clause, that whoever holds land under the act, shall be liable in respect of those lands to ALL the rules which prescribe the mode and manner of holding land by the native. Here is surely no ambiguity; but the difficulty of understanding the meaning of this clause arises from certain extrinsic causes, that render its being practicably carried into operation, absolutely impossible. We put the case the other day of an Englishman buying Mofussil land, marrying, having a family and dying intestate. Now under the new act, his property is to be had, and held, according to the Hindoo Law of coparcinary, as also according to the Mohummedan Law of inheritance, and his children, if minors are to be under the guardianship of the Court of wards. How this is all to be expressed the act affords us an example; but how all this is to be *done*, we should imagine, would puzzle the conjuror, to whose skill, Mr. Williams himself, albeit exquisite in his art, would not be ashamed to acknowledge his own inferiority. In the very next column of our contemporary's journal, which contains an extract from this *non-pareil* of an act, we see Mr. Williams's Advertisement, by which we learn, that among other magic performances, the *artiste* will "actually convey a living person from the stage to any part of the house, without being observed by the audience." Here then is no ambiguity in the expression. The ambiguity lies in the performance. This, Mr. Williams calls "the Cabalistical Voyage;" we must be allowed to designate the new act, "the Cabalistical Tenure," under which "a living person may remove to any part of India, and hold lands, subject to *all* codes of contradictory laws, without his being able to discover any one of them." Mr. Williams will forgive us when we declare that he is outdone by the Legislative Board, who will, however, like him, we have no doubt, to borrow his words once more, treat us with "a variety of other deceptions, too numerous for insertion here."

But to be serious,—for in sooth our subject is rather matter for melancholy than mirth,—we must repeat our former observation, that the only object that we can discover in this act, is to deter Europeans from purchasing or holding land in the interior of India. We read when school-boys, of some pure despot, who was accustomed to promulgate his laws by hanging them up, written in small manuscript, on the top of a high pillar, so that nobody could read them, in days when telescopes were not. This was sufficiently provoking to be sure, though it was ingenious; but what was the ingenuity of such a contrivance, to the skill which so fashions laws that they are direct and positive in their expression, but are utterly unintelligible for all practical purposes, either by their framers, or those who are to obey them. It may be, we're likely is said, that all our objections to this new law, are merely factious; that although its meaning be unintelligible at present, yet when the new code is published, this will explain every thing. So then, we are still to be legislated for, on the part-before-the-horse system, a *modus operandi*, which, by the agency of brevity, the soul of wit, and obscurity, which is a source of the sublime, is calculated to establish such an uncertainty in the jurisprudence of the country, hitherto unsurpassed by mankind.—*Harkaru, May* 18.

No. 7.

Having finished my sketches regarding the birth, education, *kurnobed*, and marriage of the Hindoos, I should now offer an exposition of their customs and ceremonies relative to *death*. When any respectable native is dangerously ill, the members of his family never allow an European doctor to administer any medicine to him, nor would they sanction a Bengallee quack prescribing any poisonous pills from a conviction that their pursuing a different line of conduct would contribute to deprive the patient of every felicity hereafter. This notion has been generated for a considerable time solely through the influence of Braminical dogmas, and so much are the natives biassed in favour of it, that they would rather suffer their parents, sons, brothers, and *dearest* relations to be torn asunder from their bosoms by the merciless hand of *death*, than venture to exercise any discretion in following a different course. To die in the Ganges amidst shouts of *horee boles* is the highest virtuous aspiration of every Hindoo, and it is for this purpose that many of the old and infirm reside in such places as are contiguous to the *river* or go to that holy city—Benares, where *all that depart this life become deified!!!*

Among all respectable native families, dying at home, or any were except on the banks of the Ganges is considered the most disgraceful thing. It not only affects the piety of the person who so died, but reflects great dishonor on his family. When a native does not (what they call) *get the Ganges* on the occasion of his death, the men, women, and children of the whole neighbourhood speak of nothing but of that for some time. One neighbour asks a second in a low whispering voice "brother have you heard that———did not die in the Ganges?" "Oh yes", says the second, lifting the palm of his right hand in the attitude of cautioning the interrogator, "I have heard every thing of that sad circumstance. But stop! stop! we'll be overheard. It appears to me that——— must have neglected worshipping the Bramins or performing all the poojahs with a *pure heart*, else he would not have died such an *ignoble death*." "Oh very true, brethren," mutters a third, drawing near them. "I think", adds he, "that——— must have some aversion to drinking the water consecrated with the dust of Bramin's feet, or failed in fasting and observing all the ceremonies of our nation. The family of——— should do something in expiation of———sin." Talk of this nature is often to be heard on occasions such as these, and no subjects can be more fertile of animated discussion than those that are connected with false invidious distinctions of labour and superstitious usages.

The moment a *roberaj* (the doctor) despairs of the life of a patient, he must be instantly sent to the banks of the Ganges in a *khaut*. If he be old and a *bustom** four or five *kirtoonays* (a sort of solemn musicians and songsters) are generally employed in leading the procession. These *kirtoonays* beat musical instruments called *kholes* and *khurtols* and cry *horee bole! oh horee bole!* as they move along with grave steps. When the dying man reaches the Ganges shore, he is requested by his surrounding friends and relations to open his eyes and see the holy river. If the coberages opine that there will be some delay for his death, he is then removed from the open air and kept in a shaded comfortable place. Every visitant that comes in to see asks him, "how are you? Can you recognize me?" and the dying native, if able to speak and not in a delirious state, makes proper replies to the respective questions. Amidst this scene of grief and lamentation, the son is obliged to obtain from his expiring father an order for performing *baytoronee*, which is celebrated by muttering a few *munters* and disposing of some rice, cowries, cows, &c. to the priests. The object of it being his father's crossing (when dead) by laying hold of the tails of cows, the rivulet *Baytoronee* situate near the palace of Juma or God of Death. As soon as this gasping creature evinces indications of approaching dissolution, he is carried down to the river with as much expedition and hurry as possible. The great toes of his legs are immersed in the water, and he himself is placed upon clay and dirt. His friends, son, and relations put the drops of holy water into his mouth, and rend the spot with dreadful cries of *horee bole*, and fifty other obstreperous sounds of a like nature, until the dying man has gone to "that bourne whence no traveller returns." The corpse is then rubbed with clarified butter, washed in Ganges water, and dressed in a new cloth.

The haggard-looking *moordaferashes*, the assistant, deputies, and servants of *Rama*, the Llewellyn of the natives, now drag their inactive clumsy feet at a snail's pace, covered with rags and walk near the dead body with *chelums* of ganga (bang) in their hands, sometimes disclosing their ugly blakish jaws for a cachinnation, and sometimes casting around wild glances. They soon busy themselves in digging a *chooles*, or a hole whereupon parts of *soodree* (heritiers minor) and sometimes of sandal wood are arranged in such a manner as to hold the corpse in a secure way.

The dead body is always placed on the pile with the face upwards. The head should also be laid towards the north, and the hands and the legs are kept in a contracted form. Small bits of gold, silver, copper, rupees, &c. are put in contact with the mouth, nostrils, eyes, and

* Hindoos are all divided into two religious sects, viz. *bustoms* and *voisnos*. The former being the worshippers of *Krishna* and the latter of *Eva*.

vars, &c. of the deceased, the heir at law throws upon his mouth a handful of lighted straw, after uttering some spells with the priest, and walking three times round the pile with his face averted. Other persons then pour upon the funeral pile clarified butter, Indian pitch, and some combustible substance to effect a speedy burning, piercing the body at intervals with long pieces of strong wood, severing the bones and joints from each other and throwing back into the flames all the disjointed parts of flesh and grease, driven away from the *chooloo* by the force of the fire. When the whole body, with the exception of the abdomen is consumed, the blaze is extinguished. The inherent part is put into an earthen pot with some clay, and a person is deputed to put it into the river going knee deep in the water. It is supposed, that devils and evil spirits wait to devour it, and that if it be flung at a distance it can never escape their clutches. After this ceremony is concluded, all the attendants throw water on the fire with hopes of being handsome, and purifying themselves with bathing in the Ganges, and leave the *Sushan* (burning place) crying *horee bhole, horee bhole!* As soon as they reach home, every one of them has to chew some *doll, nalta leaves*, touch a piece of iron, and hold his hand upon fire at the gate. Letters are written by the heir at law to all those relations of his who have not heard of this news, and they who come to pay him visits console him and the family in the following way. "Oh this world is a vast scene of delusion! Parents, sons, relations, and friends are all false!!! Nobody is nobody! It is therefore, vain to weep. Weeping will not moreover bring the deceased back. The world is governed by predestination. Man is born to die on a certain day, and it does not lie within the power of any one to undo what God has commanded to be done."

The person who throws a handful of lighted straw on the face of the deceased is obliged to relinquish for a month his usual bed and meal. He is prevented from cutting nails, shaving his head, putting on shoes or sandals, taking fish, sweatmeats, vegetables of foreign places, and luxuriant curries—his food being merely a little quantity of table rice, dholl, one or two plantains or red *aloos* boiled by himself, or by any member of the family closely allied to him. This food is prepared every day in new pots upon three new coobs of clay, lighted with cocoanut leaves, &c. He is also allowed to take sugar, a few selected fruits, clarified butter, and to drink milk. He generally sits upon small pieces of carpets, and sleeps upon ankets laid upon straw. The clothes which he is allowed to wear, must be mere white clothes, and not to be washed for a month. He has also to put on a *chadur* upon his breast in the shape of a poitay, having an iron key tied with it, in order to be saved from the attacks of evil spirits. The other members of the family observe these customs in proportion to the degree of consanguinity existing between them and the deceased.

From the day of the death up to the tenth day, the heir at law offers to the deceased ten *pindees*, or a medley of rice, plantains, clarified butter, sugar, honey, sourcurds, and leaves of the *toolsee* tree, from an idea that this mixture tends to fattap his soul. If the deceased leaves any female issue, she performs a ceremony called *Chothoo* for the salvation of her father on the fourth day. After a month all the members of the family get their nails cut, beards, and heads dressed and mustaches shaved. The females cut their nails, cleaning their legs with gravel and water and adorning the sides of their soles with the red streaks of *Alta*.

On the 31st day the heir-at-law performs what is called *shrood*. He first of all holds his hands upon four pots containing fire and ashes, a few *munters* with the priest for the purgation of the sins he might have unconsciously committed during his mourning in killing bugs, gnats, musquitoes, ants, &c. that disturbed him in his sleep. A quantity of gold is disposed of to the Brahmins, and the sun is duly worshipped as additional measures for his expiation. The ceremony denominated *Tilpachanchone* is then celebrated by giving *tul*, gold and brass pots to the Brahmins, on account of the spiritual welfare of the deceased. If the heir at law be rich, he makes a *shuba*, that is, invites all his relations, friends, Cooleens, and learned Pundits, to assemble in a large compound of his house, where several bands of *kirtoonays* are requested to sing while he disposes of some cots fitted with bedding, several articles of brass and silver, all kept there methodically for that purpose, and some times an elephant, a horse, a carriage and a boat. The Brahmins are of course the only persons who are entitled to receive these things. After this a *brow* cart, or a wooden representation of a man holding upon his head, the form of a cow, and a small building, by which

taken to the strand to be fixed there, follo by some *kirtoonays* and a procession chiefly consisting of the family of the heir at law, all daubed with turmeric powder and oil, and crying like maniacs *horee bole! horee bole!*

The rich baboos of Calcutta expend vast sums of money in *shrands*. Numbers of *Cooleens* are wedged together in the compound of some houses on the beating of a tom-tom, and rupees are *indiscriminately* distributed to them. Many a person of low and servile habits

comes in the disguise of a *hangalee* for the purpose of taking this money, and the result of this system of *unlimited charity* appears to me to be an increase of fraud and imposition on the part of the beggars—and an unnecessary endless expense on the part of the baboos, their generosity and benevolence being not directed to those who are *really poor*, and are worthy to be the objects of their charity. The baboos certainly lack much exercise in their reason, and could have made their wealth subservient to genuine liberality and munificence if they had been men of enlarged minds —*for*

> When wealth to virtuous hands is given,
> It falls like the dews of heaven;
> Like heaven it hears the orphan's cries,
> And wipes the tears from widow's eyes.

2nd, 1836. [*Englishman.*

No. 8.

Before I conclude this subject, it will, I hope, not prove uninteresting to offer a succint account of the different sorts of songs and music which have been munificently supported by the Calcutta Baboos, and are said to afford them an "infinite deal" of satisfaction. That which is called SUNGIT BEDDA is the true and proper art of singing. Its origin is ascribed to the Gods, and is divided into thirty-six principal melodies, six of which are denominated *raugs* and the rest *raugeenees*, or the wives of the *raugs*. Whatever other minor melodies there are besides those, are called *ulloo raugeenees*, or the maidservants of the *raugeenees*. These raugs and raugeenees have respectively all fixed seasons and periods of day and night for their being sung, and those who do not observe this rule are considered not sufficiently conversant with the art. As to their magical effects there are various fabulous traditions extant. It is said that whenever *deepuck raug* was warbled, the songster, the audience, and the place where it was sung, were sure to be plunged in a conflagration, and unless the aid of the watery *mey mollar raug* were seasonably invoked by another songster, nothing could be saved from destruction. But it is a happy circumstance that vocal entertainments of this nature are no longer performed, and the *gauceas* and *gahna wallahs* now aim at what is only calculated to delight the ear. In Calcutta we have had many a vocalist and musician of great proficiency, and the degree of gratification which they afforded in the execution of their duties will preserve their names in the honoured remembrance of the respectable natives. I have invariably perceived that these *raugs* and *raugeenees* are truly expressive of the different emotions of our mind. Some of them are very sweet and enchanting, some tender and pathetic and others are of a solemn and sublime cast. But they have all a tendancy to please us exceedingly, and reflect great credit on their originators, be they of a human or celestial extraction. That this statement may not appear exaggerated, I will just quote the words of that great orientalist Sir William Jones, who says "the Hindu system of music has, I believe, been formed on truer principles than our own; and all the skill of the native composers is directed to the great object of their art, *the natural expression of strong passions.*" It is, therefore, a pity that *Sungit Bedda* has been unsuccessfully cultivated in this part of Bengal, and has been superseded by entertainments of a *demoralizing* nature.

Bahoeys and Bhars.—Bahoeys are the Mahomedan dancing girls employed by the opulent natives on the occasion of their son's marriages and poojahs. When these fair creatures sing and dance in the *mujlace*, they are accompanied by two musicians, one playing a *saringah* and the other a *tubla* and *bâhâh* (tuboors) tied together. During the night they chant *Hindee* songs, and in the morning indulge in voluptuous Bengalee airs. From what I have heard of them I am inclined to believe that they are women of *very easy virtue*, and may be looked upon as the chief promoters of the profligacy of the rich. The *bhars* are the worst sort of buffoons; their principal business is to excite the merriment of the audience by dint of foolish loquacity, vulgar expression, and abusing and kicking each other. On the occasion of the late Dooiga Poojah at Baboo Rauj Kissen Singh's house, a *tonfa* of *bhars* was engaged. When they appeared in the *mujlace* one of them wished to get his beard dressed, and the moment this was intimated, soon comes another with a shoe in hand, and stamps with it his hair covered cheeks, exhibiting his dexterity as a barber. To enlightened persons this will appear no fun, but on the contrary, a very *dirty* and *barbarous* buffoonery. The surrounding Baboos, however, set a high value *on* it, and how oddly did their corpulent bellies move up and down while they were bursting into extraordinary fits of cachination!!

Cobbees. Each poojah of the natives is a prolific source of their merriment and festivity. In almost all respectable families some entertainments or other must take place at nights. The *cobbees* are a species of wild song, which exceedingly minister to the gratification of the mob. When a rich Baboo wishes to have this amusement at his house, he generally makes an illumination in the compound and *huytuckana*. His gate is sometimes studded with light and *brojobasies* and *sepoys* are kept there as guards. About 9 or 10 o'clock P. M. the rush of men becomes irresistible. Persons of every description and rank fall in great numbers upon the door keepers, and notwithstanding their being now and then abused, collared, and flogged they can never refrain from witnessing this delightful scene. The moment the *dholies* beat their *dholes*, the house become excessively crowded. A great hue and cry is raised to make all the *plebean* audience sit down, and clubs are often resorted to, to effect this purpose. As soon as the buzzing talk of the surrounding rabble is hushed by the loud and repeated remonstrances of the *chaprasees* the

first *dull* or *cobbeetta-wallahs*, consisting of about fifteen or fourteen persons, appears in the middle of the compound, wrapt in a red sheet of cloth extending from the waist to the legs, with a conical feathered cap on head, and hands, breast, and back all bare. Each of them wears a pair of *napoors** on his feet, the tinkling of which is said to add harmoney to their *bawling* and dancing. On entering the field, all of them fall prostrate before the god or goddess, whose representation is kept in the *dalaun*, and consecrate their heads with the dust of the feet of their chieftain, if he be of a superior cast. Such steps being taken in order to be crowned with success, they divide themselves into two unequal sections, and standing in their usual order, first of all chant a *tuppa* soliciting the deity to be propitious to them. It is sung twice on the two sides of the compound and is succeeded by a lengthly *suetomes*, or *takroon beeshoy*, descriptive of the pathetic mournings of Doorgah's parents for her indifference towards them or of the wonderful achievements of *Kali* or *Bhugobutty* performed in days of yore. Each *cobbee* consists of three or four *untoras* and each *untora* is sung twice on the two sides. At intervals the *cobbeetta wallahs* dance, agitating their *napoors* and jumping with ecstatic emotions when bursts of acclamations and enthusiastic cries of *bah wahs* pervade the place. After the first *dull* has completed its task, and retired into a private chamber, the second *dull* appears in a similar dress, and observing the same etiquette, bawl out a similar song with as much exertion as it can possibly make to excel the opposite party in point of strength and concord of voice. On its making its exit, the first dul reappears and in like mannor sings *sukeesumbad* or a song relating to the love between Krishna, his dearest aunt *Radha* and hundreds of blooming girls of the happy vale of *Bindabone*. The first *sukeesumbad* always contains some mysterious questions for the solution of the other *dull*, and should its *bad one dar* (rhymster) fail in his ingenuities to discern their subtleties and frame suitable replies, *dooroos*, *habaes* and other contemptuous cries of disapprobation must be lavished upon the *ganah-wallah* while rupees and shawls would be presented to the victorious party. Each *dull* sing two or three songs of this discription by turns, and then plays the part of either a lover or his beloved, with the singing of *buyshes* or ditties relative to the sundry negotiations of sublunary love. At first both the *dulls* enter heart and soul on a dirty species of song called *kaboos*. The expressions in which many of these are couched are too shocking to be heard. But the deep attention with which the Baboos listen to them, and the heartfelt smiles which sparkle in their greasy faces, and the strong marks of approbation which they indicate by the frequent nodding of their heads, embolden the *cobbeeta wallahs*, to be exceedingly indecent in dancing, and ransacking the whole catalogue of abominable terms. The *dull* that can be very vulgar and unanswerable in its horrid language as well as superior in vociferation, becomes victorious in the contest, and obtains suitable rewards. With respect to *sahar dulls* or gangs of *cobbee wallahs*, the party that gains the victory is allowed to walk in the public streets, singing one of the morning songs amidst the cheers of spectators, the rattling of dholes and numbers of nallygs waving in the air. There are also female songsters, of the same sort. They are all of low extraction, and have not the slightest notion of modesty, refinement, or good feeling. They are occasionally employed by the rich baboos at their garden houses, where no species of sensual pleasure can pass without being enjoyed in the exuberance of hilarity.

Jattras.—*Jattras* are the pantominical entertainments held in different parts of the year either in open places or compounds of some large houses. Their design and plot are principally founded upon the lascivious achievements of *Krishna*, the mythological adventures of *Rama*, the interesting anecdote of *Shiva* and *Doorgah*, the love between *Bidda* and *Soonder*, and the pathetic of *Nil Rajah*. Five or six boys fancifully attired in red and gold in the disguise of girls form the chief dramatis personæ. The orchestra is always placed behind them, and the other actors make their appearances from an adjoining wardrobe. The music and song are some times pleasant, but the indecent witticism and foolish gabbling of most of the personages conduce to deprive the performances of that susceptibility of producing moral impressions which some of them possess. In the representation of these pantomimes no attention is bestowed upon dress and scenery. The different characters appear in the same scene, and observe no theatrical rule in playing their parts. The drama of the Hindoos seems defective in several essentials, and the *jattra-wallahs*, are by no means the fit persons to understand its nicelies. They are great lovers of drollery, uncouth expressions and disgusting habits, and are utterly incompetent to be the votaries of the Muses.

Paunchalees.—*Paunchalees* are bands of songsters who are principally employed to sing in the *boytuckhanas* of the baboos. Those who enter into their profession must possess a proper knowledge of the *Sungeet Bidda*. At the time of singing they all sit on the *mussud*. A mingled music arising from a *tumboora*, a *dhole* and a pair of *mundeeras* accompanies their vocal efforts. The person at the head of the band repeats every now and then some poetical productions of his, connected with the subject matter of the *paunchalee*, which is sometimes replete with satires upon men and manners, but is generally a combination of religious and vulgar songs. The distinguished

* Napoors are a sort of ornaments for the feet. They are made of hallow brass containing small pieces of iron, which cause a tinkling sound when shaken.

punchallee-wallah was Loekikont Biswas. He was a great wit, and full of oddities.

Kamta-natch.—The Cypreans of *Machobazar* are considered as the ablest practitioners of *kamta-natch* or dancing in accordance with a melodious vibration called *kamta*. The musical instruments that are used to animate them to attitudinize and twist their gentle forms into all the pleasing contortions of the art are generally a pair of *tubla* and *bah'ya* (tabours) a fiddle and a pair *mundeeras*—a small species of cymbals. The gardens of the *baboos* are the proper places for these votaries of *Terpsichore* to display their attainments and the indecent gyrations and circumvolutions of their body are the inexhaustable sources of pleasure to the spectators. Exciting *tuppa's* at intervals are warbled by the musicians, and the *tamasha* is carried for hours and hours with lascivious tricks and bursts of merriment. The tendency of such recreations as these is so apparently mischievous that it needs no animadversion. The natives evidently possess a vitiated taste, and can seldom indulge in any innocent or rational amusement. We hope, however, that with the increasing intelligence now spreading over this long benighted land, their absurd customs and foolish ideas will soon all fade away, and happy alterations be effected in their intellectual and moral condition.

13*th Jan.*, 1837. [*Englishman.*

SITTINGS OF THE JUDGES OF THE SUPREME COURT.

TO THE EDITOR OF THE BENGAL HURKARU.

Sir,—In your editorial remarks of to-day on the subject of the Supreme Court, (with most of which I heartily concur) you say let the Judges make new rules for themselves, as well as for the practitioners in their Court; let them do away with terms, and sit all the round, without reference to their reliques of ancient superstition. I perfectly agree with you, Mr. Editor, in your condemnation of the retention of the terms and returns of Popish days; but allow me to express my doubts whether the judges have the power, to do away with the terms and sittings, as they are expressly prescribed by the Charter of justice, section 37.

Yours obediently,

March 3, Ben. Usser.

Our correspondent Ben Usser informs us, that the terms and sittings of the Supreme Court are fixed by the Charter of Justice, and that consequently it is not within the competency of the Court to re[illegible] in that particular. We shall have no objection to see the matter remedied by the Legislature, and the doors of the Court House opened at all times and seasons to the suitor for justice. It is astonishing that this branch of reform has not been brought about in England long since, the propriety and necessity of which have been repeatedly pointed out by Bentham, who well exposes the obsolete jargon about cs-soignes, quarto die posts, and other "trumpery" invented by the priests at a time when law was chiefly in their hands. We are fully impressed with the necessity of regularity in the conduct of legal business, and we have much respect for Tidd's practice, but forms are only useful in as far as they contribute to forward the suitor's affairs; but when instead of tending to "speed the cause" they become fetters and impediments to the progress of business, they are doubly and trebly evils, enhancing the expenses, and keeping the poor suitor in a state of anxious suspence, in many cases worse than the chagrin or distress occasioned by a hostile decision. It was the trick of the old lawyers to mistify their craft, and by means of a cant and jargon of their own, to obtain a monopoly of the practice; this may be all very natural, and very allowable, for aught we know, in the lawyer; but it is the business of the legislator to suppress or counteract this disposition in the practitioner. If to the aggrieved, the council be good "agitate, agitate," to the legislator we should say, "simplify, simplify;" but this must be effected skilfully, or instead of the *lucidus ordo*, one of the great elements of which is simplicity, we shall only have the most confusion, worse confounded. Simplifying we fear is not the *forte* of a profitable profession.—*Hurkaru, March* 6.

GOVERNMENT TREASURY ADVANCES.

Five o'clock.—We just hear that Government have determined to re-open the Treasury for advances for the purchase of Bills of Exchange secured on Goods.—*Cal. Courier, April* 10.

We added a postcript yesterday to our own town edition, to mention that Government had yielded to the solicitation of the Chamber of Commerce, and had determined to re open the treasury for advances against consignments to England. We now learn that the advances will be made immediately to those who may apply for them, and that the sum fixed for issue in this way is seventy lakhs in Bengal, twenty lakhs in Bombay, ten lakhs in Madras and fifty lakhs in China; provided no orders come out from England inconsistent with this arrangement, which we presume may be regarded as the financial remittance of the ensuing twelve months. The Indian Exchange is fixed at 2s. 2d. per Company's rupee.—*Ibid.* 11.

It has been pointed out to us that our statement was not quite correct that "Government had yielded to the solicitation of the Chamber of Commerce," in determining to re-open the Treasury for the purchase of bills secured by goods; the fact being that the Chamber asked nothing more than to be informed of the financial remittance arrangements for the ensuing year, this being the proper period for such enquiry and the Government having pledged itself last year to give *timely* notice of these important arrangements for the *future* as far as they depended upon the authorities in India. It is proper to draw the distinction, because there is no question on which the Merchants of the place are more divided than upon the propriety of allowing the Company to make advances in this way against goods; some persons objecting that it is an interference with their business, and others that it promotes imprudent speculation and obliges the real capitalist to pay higher prices than he ought for the goods he buys for the English market. Both objections are easily met, by shewing that every disadvantage which the system may produce to one class of traders is more than compensated by the facilities given to others, in the saving of charges as well as the saving of capital; which must be a benefit to commerce at large, and especially to the producer in this country. They are, however, the sentiments of a considerable number of persons in the mercantile community of Calcutta.—*Ibid.* 15.

The *Courier* of Saturday, has a few observations on the subject of the opening of the Government Treasury for the purpose of making advances on bills secured on produce at the Exchange of 2s. 2d. the Company's rupee. The question as to the propriety of this measure on the part of Government, is one which is naturally of considerable interest, and which is now undergoing much discussion. The *Courier* has stated the alleged objections to be, that it tends to produce improvident speculation and interferes with the calculations and profits of those capitalists and merchants, both here and at home, whose commercial undertakings have been entered into, without taking into consideration the opening of the Government Treasury. As it appears to us, the Government advances, if made at all, ought to be made periodically, and the additional capital thereby thrown into the market ought surely to be somewhat in the shape of a fixed sum. By the present increase, about one million five hundred thousand pounds sterling additional capital, is all at once exhibited,—an admirable thing, says the *Courier*, for the producers in this country, and a good thing for commerce generally. We are not quite prepared to admit this proposition, and for the following reasons, at least they appear to us to be something like reasons. 1st. It is the state, which comes in, and competes with the other capitalists, and we do not like the principle of the state interfering in the commerce of its subjects. 2nd. It is subjecting by its interference, the other capitalists to an unfair competition. The state can get money at a cheaper rate than any body else. They, from their position, can procure loans at 4 *per cent.* which they *now* do, and which no other person can. They come into the market with their capital, and *down* goes the rate of exchange, whereby the capitalist here gets only 2s. 2d. for his remittance instead of 2s. 4d., and the merchant at home loses about 10 per cent. upon the sales of his goods sent out here. It is quite clear, therefore, that this Government interference, cannot take place without great injury to some, and a considerable temporary advantage to others, and a Government interference of this sort, is surely to be deprecated. On this branch of the subject we give an authority that will weigh probably much more than any observations we could make:—

"The true line of policy that a government ought to follow, as respects commercial affairs, has been ably pointed out by Mr. Alexander Baring. 'The only beneficial care,' says he, 'a government can take of commerce, is to afford it general protection in time of war, to remove by treaties the restrictions of foreign governments in time of peace, and cautiously to abstain from any, however plausible, of its own creating. If every law of regulation, either of our internal or external trade, were repealed, with the exception of those necessary for the collection of revenue, it would be an undoubted benefit to commerce, as well as to the community at large. An avowed system of leaving things to take their own course, and of not listening to the interested solicitations of one class or another for relief, whenever the imprudence of speculation has occasioned losses, would, sooner than any artificial remedy, reproduce that equilibrium of demand and supply, which the ardour of gain will frequently derange, but

which the same cause, when let alone, will as infallibly restore."

"The interference of the political regulator in these cases, is not only a certain injury to the other classes of the community, but generally so to that in whose favour it is exercised. If too much sugar be manufactured in Jamaica, or too much cotton in Manchester, the loss of those concerned will soon correct the mischief; but if forced means are devised to provide for the former a temporary increase of demand, which cannot be permanently secured, a recurrence to that natural state of fair profit, which is most to be desired by the planter, is artificially prevented by the very means intended for his relief. And if the cotton manufacturer, on the other hand, is to have his imprudences relieved at the expense of those employed on linen, silk, wool, or other materials, the injustice as well as impolicy of such a remedy, need no illustration.

"Whenever the assistance of government is called for by any class of traders or manufacturers, it is usual to make the most splendid display of the importance of that particular branch to the nation at large. The West and East India interests, the ship-owners, the manufacturers, the American merchants, have all the means of making these brilliant representations; but it should be recollected, that the interest of the state consists in the prosperity of the whole; that it is contrary to sound policy to advance one beyond its natural means, and still more to do so at the expense of others; and that the only mode of ascertaining the natural limits of each, *is to leave them all alone.*"*

Then, considering the question as advantageous to the producer in this country,—which is the assertion of the *Courier*,—the Government advances, considering them as a capital that can be counted on by the grower of produce, are surely of all descriptions of capital, the most ascertain and fluctuating imaginable. In the event of a war, a scarcity, and temporary difficulty in the collections, any thing which rendered *the period* of the remittances home, if necessary postponed, where would be the producer, who relied upon the Government advances for his future cultivation?

At present the Government advances may or may not be made. It may suit Government to make their remittances in bullion, or the remittance may be made by the sale at home of bills on the Indian Treasuries! It certainly does appear to us, and we believe the principle is pretty well recognized, that the Government advances ought to be made either at certain fixed periods of time, in the same, or an approximation to the same, sums advanced each year, and that the commercial world ought to be quite sure of the advances being made by Government during a definite period of time; how else can the merchant make his calculations, as to the quantity of capital in the market, and so regulate his estimate of probable prices, &c.? To us it also appears that these advances, tend to drive capital into particular channels of production, and thereby tend to produce a *glut* in these two sorts of produce—Cæteris paribus, we presume indigo and silk, and the more valuable description of produce, and for which there is, it is supposed, the most certain market, is the sort of produce, on which the advances will be preferably made: the producer discovers this and therefore this sort of produce will be that most grown, and as a consequence, prices will be likely to fall; and on this branch of the subject we again cite the authority of Macullock, as more to the purpose than our own observations, with which quotation we for the present conclude:—

"Nothing, perhaps, tends so much to generate a spirit of overtrading, and by consequence to lead to commercial revulsions, as sudden changes in the quantity and value of money. Those who embark most readily and eagerly in time-bargains, and other speculative adventures, are not, generally speaking, of the class of rich and old-established merchants. They consist principally of those who have but recently entered into business, and who are tempted, by the chance of speedily making a fortune, to engage in such hazardous transactions. And while any unusual facility in obtaining discounts must act as an additional and powerful motive to such persons to speculate, it is at the same time obvious that the rise of prices, consequent upon any additions made to the currency, will not only lead them to believe that their anticipations are to be realized but will, most probably, induce even the most considerate merchants to withhold their produce from market, in the expectation of a further advance. The miscalculations of particular classes of producers, or merchants, affect themselves only, or at most exert but a comparatively slight influence over the rest of the community, but a revulsion occasioned by a sudden change in the quantity and value of money affects every individual, and is always productive of the most pernicious results.

The discount of bills at long dates is also a great incentive to unsafe speculation. When an individual obtains money which he is not to be called upon to pay for six, twelve, or perhaps eighteen months, he is either led to employ it as capital, or is tempted to adventure in some sort of undertaking that is not to terminate until some distant period; and the consequence is, that when the bill becomes due, he is most frequently unable to pay it, or can only pay it by withdrawing capital at a great loss of businesses in which it was employed."*—*Hurkaru, April 18.*

In its number of the 18th instant, the *Hurkaru*, among other observations, has the subjoined remark on the subject of Company's advances.

"They, (the Company) come into the market with their capital, and down goes the rate of exchange; whereby the capitalist here gets only 2s. 2d. for his remittance instead of 2s. 4d., and the merchant at home loses about 10 per cent. on the sales of his goods sent out here."

Is this quite correct? Let us test the assertion by reference to the rates of exchange prevailing at different periods, since the

* An inquiry into the Causes and Consequences of the Orders in Council, 1st edit. p. 133.

*As per list furnished for Superintending Surgeons.

commencement of the year. This gives the following:

	s. d.	s. d.	
January 9th,.....	2 3½	to 2 4	per Sa. Re.
February 16th, ...	2 3		"
March 10th,.....	2 3		"
April 3d,.....	2 3½		"
April 18th,.....	2 3½	to 2 4½	ditto.

The Company have been in the market some days, and instead of going down, the rate of exchange seems to have advanced a shade in favor of the capitalist, if we may judge from foregoing quotations taken at random from the public journals. At all events, the rate offered Company—2s. 2d. per Company's rupee, which is very nearly equal to 2s. 3½d. per sicca, which may be taken as the average rate of the season, does not indicate that the Company's advances have a sensible effect on the exchange; or that they do business in this way at a less price than the private capitalists to whom allusion is made by our cotemporary. Neither do we consider that the advances materially tend to foster speculation, since their annual amount is generally well ascertained beforehand, as also the extent of accomodation which each house will receive. To us it appears that, in the peculiar circumstances under which the indigo and silk trades are conducted, they tend to keep up rather than to depress prices in this market, especially to the foreign purchaser; so that, in this respect, the system can scarcely fail of being beneficial to the merchant and producer in India.

Another consideration is, that the advances are not made till twenty days after the goods have been lodged in the Export Warehouse, so that the incentive to the speculation must be very remote, where there exists only a probability of obtaining advances for produce, that has yet to be brought into existence. It must also be recollected that though the plan of making advances on consignments of goods has been now in force during two seasons, we do not find that more of our main staple, indigo, is produced than formerly; which was naturally to have been expected, if, as stated by the *Hurkaru*, "these advances tend to drive capital into particular channels of produce, and thereby tend to produce a glut in these sorts of produce." To our apprehensions, the effect seems to be this; that, in lieu of relying on the foreign customer as heretofore, the merchant takes the preference as far as he can avail himself, of the more convenient method held out to him by the Company; by which means he not only obtains without delay a sufficiency of funds to enable him to carry on his operations of the following season, but has the chance of participating in the benefit resulting from the successful sale of his produce in the London market. The amount advanced forming but a moderate portion of the total value of goods exported from Calcutta, a quantity still remains sufficiently ample for the demands of the regular dealers, who perhaps, at this particular period when the advances are made, and which is not the time when they would prudently come into the market, find that the prices of the article in which they traffic are quoted at a good figure.

We have thus endeavoured to shew by reasonable proofs that the advances do not, to any perceptible degree, affect the rate of exchange; and that the only parties who experience inconvenience from them, and that only temporarily, are the foreign customers, who, it is quite possible, may have to pay a better price for the goods which they require, than they had previously calculated on. But this is all in favor of the producing class, who form the great majority of the community in this country, so that, here again the system of advances is advantageous to our own interests, which we presume is the main point to be provided for. It will, perhaps, be admitted that it is better that the revenue required to meet the charges of the home government, should be remitted in a manner which tends to enrich the country by again disseminating over it the money which had principally been received from it in the shape of land revenue, than that this amount should be sent to England in hard coin, contracting the circulation medium, and enhancing the price of all the necessaries of life. Were this a country situate like England in regard to her general relations, it would be correct policy to leave trade to itself, and the remarks of our cotemporary might be strictly applicable; but the abstract principles laid down by writers on political economy, undergo considerable modification when applied to circumstances and countries widely different from those in which they were originally promulgated. So it is with India; to prevent her becoming impoverished by the heavy drain which the annual tribute paid to the protecting power would produce, recourse is had to the expedient of advances; and if it can be shewn that these are conducive to the prosperity of the country on the grounds which have been previously adduced, it follows that the policy is one that works well for the majority, and, as carrying out the greatest-good-of-the-greatest-number principle, deserving of support, although not quite in accordance with the learned theories of Macculloch or Ricardo.—*Englishman, April 21.*

We learn from the *Englishman* of yesterday three things:—1st, that the Government advances have had no ill effect upon the rate of Exchange. 2dly, that the advances have a tendency to protect the producing classes at the expense of the capitalists and purchasers; and 3dly, that those advances have been resorted to, with a view to prevent India being impoverished by the heavy drain, which the annual tribute paid to the protecting power, would produce; and it is (if we mistake not our cotemporary) generally shown in his article, that these advances are conducive to the prosperity of the country.

With reference to the 1st point, viz., that the advances have not affected the rate of Exchange, we suspect that any merchant who sells a bill on England, could satisfactorily elucidate the proposition. We may be wrong as to the fact, (which we believe we are not) but the principle which we attempted to illustrate, is admitted by our contemporary; so that we are exonerated from dwelling on this question of the rate of Exchange, as affected by the Government advances.

The *Englishman* admits, that the advances operate as a protection to the producer at the expense of the capitalist; that is to say, that the advances of the effect of protecting one class of persons at the expense of other classes of the community! and in this the *Englishman* rejoices. So be it. Our whole argument is allowed, and the Government is, by the *Englishman*, admitted to intervene, to the advantage of a peculiar class of men, (the producers) at the sacrifice of the interests of the commercial community,—at least this is what we understand from the general scope of the argument of our cotemporary. The learned theories of Macullock and Ricardo, are, it appears, unfitted for the state of things here,—and that line of argument, which would be proper enough for England, or any highly civilized country, does not apply to the British empire in India! The *Englishman* satisfies himself with asserting, that the advances are, in point of fact, greatly advantageous to the grower of produce, and that *that* is the class of persons to whose interests this Government is called upon to attend,—and *that*, to the exclusion of all consideration for the interest of the other classes engaged in commercial undertakings. The *producers* will, we suppose, testify their sense of their obligations to the *Englishman*; but we have, nevertheless, a word or two to suggest on this subject. We would ask what is likely to be the result of this determination of Government to make these advances? The throwing by Government into the market here, of the sum of one million five hundred thousand pounds of capital, has, in our estimation, the effect of rendering the Calcutta market for produce, by so much the greater than it was, previously to this measure of Government being promulgated.

It operates, in point of fact, like the opening of a new market, and the demand for produce becomes very considerably increased. As far as the Indian grower of produce is concerned, he finds that whereas heretofore, and previously to the opening of the Government Treasuries, there was only a certain amount of capital embarked in the cultivation of produce, that *now* by the opening of the Treasury, he can clearly raise produce, with the certainty of getting advances of two-thirds of the value of the additional produce raised from Government; he, *therefore*, increases *his cultivation!* be it of silk or of indigo. We assume, that the whole of this new capital is attracted to the produce of these two commodities, silk and indigo. Our assumption will, we believe, be admitted. What is the consequence? Why a disproportionate quantity of capital is attracted to this lucrative description of produce, or we should rather say, that capital is attracted to this description of produce, which, whether eventually lucrative or not, at any rate enables the cultivator to go on for the ensuing year, taking the chances in the mean of the account sales at home, exhibiting in the long run, a remunerating profit. To us it appears, that it is the old story over again. In the days of the old agency houses, indigo was *the fashion*; any grower of that commodity got advances, the cultivation became very great, a *glut* ensued, the prices *fell*, the planter became embarrassed, and *his advances* became *his mortgages* to the eventual ruin of both parties. Will any one undertake to assure us, that the whirligig of time may not bring about his revenges? nay, that the same effects arise and flow from the same causes? Here is a very large increase of capital thrown into the Market by Government; every body will be wanting to grow silk and indigo, there will be no difficulty experienced in procuring further advances, to the grower, to the amount of the additional capital thrown into the market! Let us then assume that there will be no immediate *glut*, that prices should keep up, will not the amount of indigo and silk produce, be on the increase? Assuredly these two pet descriptions of produce, will go on accumulating annually, in an increasing ratio, to the additional amount of capital, and the old system of speculation, and over trading, will be the infallible result. Let it be permitted to us to quote a passage from Macullock in support of the above observations.

"The advantages which any particular class of producers derive from an increased demand for their peculiar produce, are uniformly exaggerated, as well by that portion of themselves who are anxious, in order to improve their credit, to magnify their gains, as by the whole body of those who are engaged in other businesses. The adventurous and sanguine—those who are particularly disposed to take *omne ignotum pro magnifico*—crowd into a business which they readily believe presents the shortest and safest road to wealth and consideration; at the same time that many of that generally numerous class, who have their capitals lent to others, and who are waiting until a favourable opportunity occurs for investing them in some industrious undertaking, are tempted to follow the same course. It occurs to few, that the same causes which impel one to enter into a department that is yielding comparatively high profits, are most probably impelling thousands. Confident in his own good fortune, the adventurer leaves a business to which he had been bred, and with which he was well acquainted, to enter as a competitor on a new and untried arena; while those who are already engaged in the advantageous business, stretch their credit to the utmost, in order to acquire the means of extending their concerns, and of increasing the supply of the commodity in unusual demand. The result that every unprejudiced observer would anticipate, almost invariably takes place. A disproportionate quantity of capital being attracted to the lucrative business, a glut of the market, and a ruinous depression of prices unavoidably follow."

The *Englishman* states that the advances have been made for two seasons and that no

ill-results *have followed: wait* a little do we rejoin—the Ides of March are not yet passed, and the evil we anticipate is as yet only in its infancy. It is for the purpose of averting these consequences, that we now pen these observations. The encreased cultivation, of course, has not as yet had time to come into operation; but let us suppose the system of Government advances continued for a few years more, it will then be time to say that no evil has resulted, supposing that events will bear out the assertion, and shall have proved us to be croakers, and to have delivered from our oracular tripod, nothing more than lugubrious vaticination. Be ours, in such an event, the fate of Cassandra! in the mean time we lift up our voice of warning and of wail. But let us suppose another case. Let any given set of circumstances render it incumbent on Government, after a while, to discontinue their advances! The surplus revenue remitted home is about three millions sterling; any emergency of the state, any difficulty in the collections, any war, any protracted commotion extending over any considerable portion of Bengal, any failure of crops, any one, in short, of those *accidents*, to which all Governments and states are liable, —any of these would render the advances unadviseable, and inconvenient. At *once*, then, fifteen hundred thousand pounds of capital are withdrawn, the produce to that amount remains here in the godowns, or is shipped home *without* any advance made on it, to the above amount! from whence are to come the advances for the cultivation of the next year? The planter or producer, must *borrow* if he can find a capitalist to lend, but where can he find such? The great Government capitalist has driven out of the market, all capital, but that amount on which a profit can be made; the rest will have long since found an occupation in other, and foreign channels, and the sudden withdrawal of the Government capital, will leave a deficit to the amount of the present advances, the inconveniences attendant on which, will fall naturally on that class of persons for whose exclusive advantage it is contended these advances ought to be made.

We now come to the last proposition put forth by the *Englishman*, viz. that the Government advances are made to prevent India from becoming impoverished, by the heavy drain which the tribute paid to the governing power, would otherwise produce! We are not, fortunately, face to face with the writer of this paragraph, or he would think us very rude; for by the powers, we cannot help laughing when we read this curious observation. The annual tribute is about three millions,—the advances are just *half* that sum,—the consequence is, that admitting, as our cotemporary apparently does, that India *would* be impoverished by this annual drain, still she is not impoverished, because although the drain is of three millions, yet the government advances to half that amount dispersed and disbursed amongst the growers of produce, make all things square; that is, we presume, the Government takes annually three millions from India, and *gives back* one million and a half to a few indigo planters, and silk factors, whereby the three millions are made good, and India does not become impoverished!!! Now we will not make any charges of inconsistency, but we had imagined, that the *Englishman* denied the tribute to be a tribute, and denied that it was any *drain* upon the country. Let this, however, pass; we now ask, *how* the keeping of this additional capital in the country of £1,500,000 will prevent India from being impoverished? Unless it be shewn by the *Englishman*, that it will *raise the rate of wages, and improve the condition of the labouring classes*, we leave it to him to make this out; but in order to do so, we submit that he must shew that any portion of this sum of money would find its way into the hands of the labourers; and, moreover, our cotemporary must maintain the proposition, that the throwing of a sum arising out of a surplus of taxes, into the market, in the shape of advances on certain descriptions of produce, whereby the cultivation of such produce is increased, can be held to be an advantage to the peasant employed in the rearing of such produce: and our cotemporary may as well, at the same time, demonstrate, that *the collection of a surplus revenue in India, greater than is sufficient to defray the necessary expense of governing the country*, is not an unjust and oppressive proceeding, on the part of an enlightened Government.

In conclusion, we are led to believe that the view we take of these advances is, at present, considered as opposed to the interests of the majority of those interested in the question in this country. We can only say, that we have put forward our opinions from a conviction that the results to be anticipated from this course of proceeding by Government are fraught with danger: we shall be very glad to have it shewn to us that our views are erroneous, but in the mean time, we hope that the matter may be taken into all due consideration by the ruling power, certain it is that the measure is a measure of interference with commerce, and with the interests of those engaged in it, by the *state*, and such an interference appears to us to militate against that sound principle, which should regulate a Government in its conduct towards its subjects.—*Hurkaru, April* 22.

The *Hurkaru* endeavours to get over our objections to his doctrine of the Company's advances, in a very ingenious manner, but not in a way that carries conviction with it. When we showed him the result of an examination of the commercial records of the place, which tended to disprove his chief position —that the rate of exchange had been sensibly affected by the advances, he says—

"With reference to the 1st point, viz. that the advances have not affected the rate of exchange, we suspect that any merchant who sells a bill on England

could satisfactorily elucidate the proposition. We may be wrong as to the fact, (which we believe we are not) but the principle which we attempted to illustrate, is admitted by our contemporary: so that we are exonerated from dwelling on this question of the rate of Exchange, as affected by the Government advances."

In the face of figures he still is unwilling to admit the fact, but "suspects," that any merchant who sells a bill on England "could satisfactorily elucidate the propositions." Are we to understand by this, that the quotations which we made from a commercial publication of old standing and acknowledged repute, are erroneous; and that the bill market is there unfairly represented? We scarcely suppose, that such can be the meaning of our contemporary, who says he *may* be wrong as to the fact, but *believes* he is not, while at the same time he omits to shew the grounds of his belief, that he is *not* wrong as to the facts of the case. Figures are the best facts in this case; we have quoted them in confirmation of our opinions: let our *brother* do the same in refutation of it.

He follows quotations from the *Exchange Price Current* of the 20th instant, only a day or two after he put forth his first observations on the subject:

"Bills on London of unexceptionable character have been sold within the last few days in large sums at 2s. 4¼d and in small and moderate amounts at 2s. 4d. to 2s. 4¼d. Bank of Scotland Bills to the extent of £5000 at 2s. 2d. and Australian Bank Bills at 2s. 2½ per sicca rupee."

The former we will presume to be bills at twelve months' date, and the latter, we have reason to know, having recently purchased a set, are at one month's sight. Now, here we find that, instead of "down" going, the exchange to 2s. 2d., as asserted by our contemporary, it has in reality gone up to 2*d.* 4¼*d.*, a practice beyond what the *Hurkaru* declared it ought to be; and instead of losing 10 per cent. on his returns for venture to this country, the London merchant is actually benefitted to something better than that amount. When the facts can be shaken, the public may possibly admit that our cotemporary is free to get away from this point with the observation "that the principle which he attempted to illustrate is admitted, and that in consequence he is exonerated from dwelling on this question of the rate of exchange, as affected by the government advances." We do not think this to be a fair answer, inasmuch as the principles cannot hold good when facts are decisive against it, and are of opinion that our brother is bound, in parliamentary language, to explain. In his former disquisition, the *Hurkaru* grounded his argument on the injurious consequence which the advances entailed, on the buyer of bills, or in other words the remitter; whereas we have shewn that they have not that effect, but the contrary.

Our cotemporary with great facility "turns about and wheels about, and does just so," and now takes his stand on the opposite side of the question that "the merchant who *sells* a bill on England, could satisfactorily elucidate the proposition." That is quite another thing altogether, but not in the original bond, which was about *buying* and not about selling. And yet, even this argument cuts against our contemporary, as sharply as his illustration of the principle, is demolished by the illustration of the fact. If the merchant who is desirous of selling a bill is obliged to give his customer ½*d.* of better rate in the Exchange, that does not look very much like an indication that the exchange is "going down."

The *Hurkaru* next proceeds to say that "his whole argument is allowed," "because we affirmed that the system of advances was favorable to the producer, and therefore to be approved; and that moreover, the producer is benefitted "at the sacrifice of the interests of the commercial community."

Our brother is excessively ingenious at giving meanings, and drawing deductions therefrom, not warranted by the expressions actually made use of. As we do not wish to be misrepresented or misunderstood, we will explain for the benefit of our contemporary. We maintained that the advances so far from acting injuriously to the English merchant, who in regard to indigo and silk may be considered synonimous with the producer also, had the contrary effect, by enabling him to obtain an immediate advance of money on a portion of his goods and a better price for the remainder. A third of all the indigo produced goes to foreign countries direct from this market; more than a third is shipped against advances, while a good portion of the remainder goes either on private account, or to order from London. Is it an object that the merchant and planter should get a good or a bad price for their produce? or that the Gulf trader or the London dealer may be enabled to buy cheap and sell dear at the expense of the blue and the agency classes? Which is the most reasonable advocate of interests in *this* country under such circumstances—the *Hurkaru* or the *Englishman*? Gentle public judge between us on this point.

"The throwing by Government into the market here of the sum of one million five hundred thousand pounds of capital, has, in our estimation, the effect of rendering the Calcutta market for produce, by so much the greater than it was, previously to this measure of Government being promulgated.

Here again our cotemporary is not quite correct. The system which is objected to, has virtually been in operation for many years. Before the cessation of their commercial character, the company, our readers must be well aware, bought the indigo, on which they now make advances. The amount of purchases at that time was equable, and did act as an incentive to speculation. It does not do now, because the amount requiring to be sent home by means of advances is uncertain, and consequently no one can count on it to aid in speculations. The *Hurkaru* says, that two seasons are not enough to decide the fact

that the production of indigo has not increased in consequence of the advances; try, we say, still further back, and see what effect has been produced by the Company purchasing indigo. Is there any corresponding increase, or any thing to justify the remark that "now by the opening of the treasury, he can clearly raise produce with the certainty of getting advances of the two-thirds of the additional produce raised from Government; he, *therefore*, increases *his cultivation*." Now the answer to all this is, has it been the case? We think not, and for this reason. Say the Company advance one million five hundred thousand pounds—what does this do, but displace an equal amount which formerly was sent by the London capitalist to be invested in indigo. But since that time, other more profitable sources of investment have been opened up The China trade alone has absorbed twice the amount, while saltpetre, sugar, and silk have become favorites in the market, in instances where indigo would scarcely be looked at. The fact is, that the merchants understand their interests too well to permit the annual quantity of indigo manufactured to be exceeded, even if it could profitably be extended, which is known to be doubtful.

The *Hurkaru* facetious on our suggestion that the advances operate as a check to the improvement of the country by abstracting its circulating medium. We will make him a present of half his inclination to laugh, and dispose of his other half without ceremony. Has he forgot to add the other one and a half million, provided by bills drawn by the Home Government in this treasury, the greater part of which must be invested in produce and by that means prevent remaining part of the drain? So that instead of one and a half millions added to the productive capital, double that amount, according to the reasoning of our cotemporary, should have gone to swell the annual produce of indigo and silk. But our cotemporary says—"wait;" there has not been time enough for this money to have found its way into those branches of production. No?—then how have they been fructifying during two seasons, and to a great extent still farther back? We refer our contemporary to Bell's tables for an elucidation of the mystery

With respect to the point that the collection of a surplus revenue in India greater than is sufficient to defray the necessary expense of governing the country, is an unjust and oppressive proceeding, we must refer the *Hurkaru* to the Court of Proprietors and the British Parliament for explanation, having nothing to do with questioning the exercise of the national prerogative. We suggest, however, that one Andrew Jackson and his associates have been guilty of the same crime, with this difference—that the latter are going to make restitution, as soon as they can agree about the method of dividing the spoil. But does not this come with rather an ill grace from our cotemporary, who but the other day was laboring to persuade his readers, that the same Government which remits these three millions, is in a state of bankruptcy?—*Englishman, April* 24.

The *Englishman*, as our readers will have observed, has taken a different view from ourselves as to the effect of the Company's advances upon the interests of the commercial public in this country. Our objections to them were manifold. We thought that the Company, as *the State*, ought not to intervene in commercial matters: that the Government coming into the market as a capatalist, was exposing private capitalists to unfair competition: that the *uncertainty* as to whether or not the advances would be made or withheld was an enormous evil; in as much as it put to flight all certainty in the calculations of the merchant and capitalist, that the throwing suddenly into the market so large a sum, would affect the exchanges, and that it tended to force capital into peculiar channels of cultivation, and was, in short, the protection of the interests of certain classes, to the injury of others, &c., &c.: these and many other observations did we throw out on this question. The *Englishman*, however, tells us we are wrong, so be it; we shall not inflict any more discussion on the point on our readers for the present. We insert elsewhere, a letter on the subject signed Q., which we must observe, assumes at starting as a fact, that the Company's advances will be made *periodically*, and that this may be counted upon as a *certainty*. This assumption, if the fact could be established, would obviate in a great measure, one of our principal objections to the making of the advances by the Government, namely, the uncertainty; but there would still remain behind; host of other objections, which we reluctantly admit, still exist in our mind. We believe, however, as we have already observed, that our view of the question is not the most popular one, and so long as the evils consequent on the advances, are only *remote*, and not actually *felt*, we must not expect to be listened to, with very great attention. We shall occasionally, however, enforce our views on this matter, as events shall occur to corroborate our notions; but we will not for the present, trespass further on the attention of our readers.—*Hurk. April* 25

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—Granting the postulate that the Indian Treasury is to disburse annually three crores of rupees, the equivalent of which is required in London to pay interest on loans, interest on stock, and to defray the expenses of the home establishment, the question is how can this large sum be most advantageously placed into the coffers of the East India Company in London, since it cannot be invested and remitted, as in former years, in produce from India and from China.

There are only two ways by which this can be done; and one is by the Indian Government advancing money in India and in China to the shippers of produce to the London market, on receipt of bills of lading and policies of insurance as security; and the other by the Court of Directors granting bills on the Bengal Government in exchange for money paid into the London treasury.

By the first method, the East India Company receive a draft against the shipment, payable at six months after sight, so that the draft would become payable, allowing for the passage to England, about 12 months after date.

By the second method, they receive money in lieu of a draft on their Bengal Government, at 60 days after sight; and, allowing 10 months for the passage out and back by a capitalist so investing his money, to be afterwards remitted from Calcutta in a bill at 6 months after sight, a loss of interest would be incurred for a period of 18 months.

Between these two rates, there must necessarily be a certain difference equal to the loss of interest for 18 months. Thus, if the Indian rate of Exchange in London be 2s. 2d., the London rate on Calcutta will not be less favorable than 2s. per Company's rupee. As regards the East India Company, it is equally the same to them whether the money be paid into their London treasury against bills on their Bengal Government, or remitted to them by advances on produce from India or from China, provided the difference between the two rates does not exceed that which may be deemed equal to the loss of interest. A capitalist, however, who might want to place money in Calcutta, for the purpose of advancing the amount on, or invested in produce, would require a higher rate of exchange than 2s. 2d. per rupee, if he paid 2s. for it in London, because the difference is only 8½ per cent.; being little more than interest at 5 per cent. per annum for 18 months.

It is evident, therefore, that if private capital were to supply the East India Company in London, in lieu of their drafts on their Bengal Government, the rate of exchange in London must be lower; or the Indian remitting rate must be higher to be remunerative.

It has been maintained, that the Company have merely to lower their rate in London, and private mercantile capital would furnish them with as much money as they require. Supposing such to be the fact, who would be gainers by the operation? Not, most assuredly, the agriculturists or manufacturers of India; for capitalists on giving their money to the Company in London, must have an equivalent in the re-exchange to pay for interest, commission, and other charges; and the producers in this country must contribute the equivalent in the shape of lower prices and smaller profits. India, therefore, would be the only sufferer by that mode being adopted; for it would cause her to lose that which would be remunerative to the English capitalist, about 15 per cent., which would be entirely saved by the Indian Government making advances on shipments.

It has been asserted that the system of making advances interferes with private capital, and leads to speculation, aye, even to an increase in the cultivation! Admitting these three effects to be true, how stand the interests of India? How are they affected? Is she a whit impoverished? The interference with real capital, at the expense of India, is a doctrine which cannot be justly maintained. If three crores of rupees are required to be sent annually from India, is the produce of India to be taxed with 15 per cent. to go into the pockets of the English capitalists, by the operation of the Company receiving the money in London? Moreover, the advances in India cannot interfere with *Indian* capital, because the shipments of produce to London would not otherwise take place. No Indian capitalist, without receiving an advance on his shipments, can compete with the merchant who buys and ships Indian produce as a medium only of *remittance* of proceeds of an investment from Europe, except at a disadvantage quite prohibitory. To give a practical illustration of the advantages, as a set off against the deprecated evils, of the system of advances on shipments, about a couple of years ago, there was a section of the mercantile community, with a feeling of the most generous and benevolent sympathy for the interests of the creditors of two of the late Agency houses, who tried to restrain the Assignees from shipping a quantity of indigo to London, and to have the whole of it sold in Calcutta. The Assignees had essayed sales both publicly and privately; but not finding purchasers who, in the then state of the money market, would give what the Assignees considered a fair value, the indigo was eventually shipped by them to London, and realized, in comparison with the prices offered in Calcutta, a very large profit.*

If the Company's advances injure the English capitalist, which to a certain extent may be admitted, so do all letters of credit and fictitious representatives of capital. What can be more injurious to the London merchant, who purchases drafts from the Court of Directors on the Bengal Government, as a medium of remitting funds to India for investment in produce, than the system adopted by the Scotch Banks, whereby drafts on their London Agents are procurable by parties, to a very large extent, without the cash being paid in exchange, but merely on personal or other security? These drafts are payable 60 days after sight, and they might be negotiated in Calcutta; the proceeds invested in produce, and the produce realized in London without the party, who may be responsible to the Banks, disbursing a sixpence in payment of the drafts. Calculating the Court of Director's Bills at 1s. 11*d.* per Company's rupee, and the Scotch Bank Bills at 2*s.* 1½*d.* per sa. rupee, the difference is in favor of the latter from the amount of interest saved.

It cannot be denied, that an increase of seventy lakhs of rupees of capital forced upon the money market, would probably be attended with unfavorable results; but it is necessary to ask, with reference to Bengal, will such be the consequences regarding these contemplated advances on shipments? It is quite natural that the readiness to obtain an advance of two-thirds of the value of goods, may cause a speculative spirit to evince itself; yet, under the circumstances of very unfavorable prices for Indian produce in the London market, the incentive to speculate is very feeble, if not almost annihilated. It is an evil, however, that would cure itself, and not at all injure the Indian Agriculturist or Manufacturer, whatever it might do to the speculative merchant.

To suppose that these advances *in prospectu* would increase the Indigo Planter's cultivation, is going a little too far into the region of imagination.

Your obedient Servant,

April 24, 1837. Q.

[*Ibid.*

We copy from the *Hurkaru* a very sensible letter signed Q on the subject of "*The Treasury advances and its effects*," which in a great measure relieves us from the necessity of taking up the question again, as we had intended in consequence of a discussion that has been carried on between our two morning cotemporaries, and the opinions still put forth, now more elaborately than ever, against the system by the Canton press. There are some points however upon which we shall yet have occasion to remark. In the mean time we will subjoin a short article from this morning's *Hurkaru*:

"The following is an extract of a letter from London

"It is impossible to effect sales: the tea trade can never recover so long as the Company advance money in China; but for that facility speculators who have nothing to lose, would be kept out of the market, and the Hong Merchants would not ship on their own account as they do, nor be able to obtain the enormous prices of the last season for poor Teas. Until the Company are away from China, the less you do that way the better."

"A commercial friend in Calcutta, who handed us the above extract, assures us, that 'it gives a just picture of the harm the Company inflict by tampering with advances on goods. Where is the use of having capital or credit if this system is to go on in China? It does ten times more harm there than here, and here it is bad enough. Let us work with our credit, and we should go on very well, but it is useless touching the China Trade, so long as a Finance Committee continue.'"

The "*harm*" described above is clearly nothing more in the long run than the reduction of the profit of the intermediate agent (the merchant), and dividing that portion of his gains of which he is deprived by augmented competition, between the producer in China and the consumer in England. To follow out the writer's principles, we must wish the Company's monopoly to be restored, that being the converse of the system of granting a species of banking facilities to carry the produce of China into the European market at the least possible cost in agency charges, and with the least possible outlay of capital. The writer does not use the word monopoly, but if he would speak plain we should have it out. He envies the Hong Merchant his participation in the Export trade; the Hong Merchant is in his eyes the interloper whom the Company viewed with so much jealousy of old in the free-trader. The prices of tea are said to have been enhanced by this system of advances. Admitted; temporarily so: but the growth of tea may be extended *ad libitum*, and according to the political economist the increased profit will be sure to extend the quantity in proportion to the extended demand, and to produce a corresponding re-action in prices; while the accumulating stocks in the English market will produce (as they have produced) cheap prices, and an extended consumption at home,—thereby of course increasing the comforts of the people of England. Are the interests of half a dozen merchants to be put in competition with positive benefits like these?—*Calcutta Courier, April* 25.

The *Hurkaru*, after a long course of declamation against the Company's advances, as inimous to trade, injurious to merchants, strangely affecting the exchanges, and a variety of equally well-founded complaints, has at last hit upon the only real objection to them, with which he promises to close the discussion for the present. This is, the *uncertainty* in which Government has hitherto veiled its financial operations. In this we cordially agree with our brother editor; it is indeed, a very serious evil to the merchant, and in our opinion, the only one of which he has any right to complain in the whole affair. It is obvious that, to the public, it can make no difference if a certain sum is to be annually remitted, whether it is effected by selling bills in London, or buying bills in Calcutta. The Government having only the interests of the mass to consider and not those of any particular class, should be totally regardless of the clamours of disappointed speculators in exchange, provided they can complete their negotiations at the least possible cost to the public. At the same time, not only justice, but self-interest, demand, that no wanton injury should be inflicted upon any class by these operations; for it would be easy to prove that any derangement of established mercantile relations, must reach upon the revenue. The merchant may, therefore, fairly demand all the information on the subject that Government can afford him, and he may further insist that a plan of financial operations having been once made public, should not be wantonly altered, nor any deviation from it permitted, except in cases of unavoidable necessity, and then with the longest possible notice. It should be remembered that the great distance from other centres of exchange operations, renders immediate succour impossible, and that the interference of Government may

endanger the fortunes of the most prudent The money market, like the ocean, will undoubtedly find its level, but the adventurer may be stranded on the shallows, before the flood tide can make to his assistance.

With regard to the China advances, respecting which the *Hurkaru* has an extract of a letter, his commercial friend seems to have forgotten that very large and important body the *consumers* of tea. If what he states is correct, that sales cannot be effected in London, that is *at saving prices* of course, it follows that the competition of Native Chinese shippers has already beaten down prices in England, whilst the competition in China amongst purchasers will ensure a larger supply of teas for the next season, so that the effect on the *tea pot* will be any thing but disastrous. It has, however, been stated that the Company's advances in China have not been made in the same open manner as is done here. We have heard that favored jobbers have been allowed to put their names down for any sum they pleased without producing goods, and have then resold their *scrip* (for so it must be termed) at a profit. This is a scandalous abuse and ought to be put down without delay for the honor of the Government. The *Hurkaru* allows that his view of the remittance question is not the most popular; it would indeed be wonderful if it were as it just amount to this. The Government, for the last two years, has treated the merchants as a swimming master does little boys,—tied bladders under their arms, and told them to strike out manfully. Now that they are in deep water, comes the *Hurkaru* and descants on the advantages of swimming without support, and insists on the bladders being cut away. Those on whom the experiment is to be tried, say, "let us land first, and then cut them off as soon as you like; if you cut them away now we shall be drowned." "Oh no," says the *Hurkaru*, "sound principles require that you should swim no farther than your own strength will take you therefore the sooner the strings are cut the better." Can the man wonder that his argument is unpopular with the swimmers, who, moreover, suspect that his real object is to enable his friend, the sausage-maker, to buy the cut bladders at his own price? - *Englishman, April 26.*

We shall permit ourselves another last word or two on the subject of the Company's advances; and should the subject bore our readers, they may thank our morning cotemporary, whose remarks on the subject in Tuesday's paper, have seduced us once again into this wordy warfare. The *uncertainty* of the advances is an admitted evil, and nothing, says our cotemporary, short of *absolute necessity*, should induce, on the part of Government, a withdrawal of these *anticipated periodical* advances! Our cotemporary appears to consider, *the State* unsubjected to accidents, political, or other of any sort or description whatever. The three millions apparently are ever to be periodically (annually) remitted, and the advances are a certainty. The great distance from all other centres of Exchange is admitted, and the possibility of devising immediate assistance impossible, so that, according to our interpretation of these admissions of our cotemporary, commercial prosperity in this country is made to depend in a great measure on the *great Government capitalist*, and his uncertain accommodation in the shape of advances! It appears to be admitted, that the great Government capitalist, will drive the ordinary capitalist, out of the market, and in this the *Englishman* rejoices, because, forsooth, the *ordinary* capitalist wants to buy the *bladders* at his own price! Now we do not see any harm whatever in this. If the bladders were not in great demand, the ordinary capitalist (the sausage-maker of the *Englishman*) would not get them at his own price; demand and supply, and all that sort of thing, would regulate itself without the interference of the Company, in the shape of advances. Indeed the necessity of *bladders*, would be altogether done away with. And to us it appears, that the argument of our cotemporary, is any thing but complimentary to the commercial community, whose opinions, at least the majority of whose opinions, he assumes to represent. The Government has, says this writer, treated the merchants as doth the swimming master *his pupils*. *He has tied bladders* under their arms *and told them to strike out manfully!!* If he put away the *bladders* they must *needs drown*, says the *Englishman!!* and this is what want in order that our friend the sausage-maker may buy the bladders at his own price!! from all which we infer, that it is intended to be the Government has by its advances for the last two years enabled the merchants (agents and producers, we presume!) to carry on. They are therefore dependant on the Government advances! which our cotemporary calls *bladders*, and if the advances be withdrawn now that the Merchants have got *out of their depth*, they must heads down. *Whereas* we say that the ordinary capitalist would have given *bladders* when called for, and would have been so wound up with the successful atchievement of the swimmer's undertaking, that *he* never would, for his own sake, have cut the strings —and that in point of fact he would never have set the little boys a swimming at all. Some few of the very great *cripples* among them would, in consequence, never have been tempted into the water, and the terrible necessity for bladders would not have existed. But as matters at present stand, if Government should be necessitated to cut the strings of the bladders, the poor little boys would get a throttle full of nasty salt water, and the sausage-maker would after all buy the bladders *at his own price!*

If, therefore, the parallel or metaphor, or by whatever name the classical allusion of the

Englishman be called, hold good, the commercial community here is in a sort of predicament. It is entirely or very greatly dependant for accommodation on one great capitalist, who has no interest in common with those it accommodates, other than that which is purely transitory—and no connexion but what may, according to all rule, be justly terminated at a moment's notice. It suited Government to make the advances; it suited agents and producers to receive them—the advances are made, or they are withheld, according to the interest or the exigencies of the state, and the merchant has nothing to complain of. The Government capital is a sum of money derived from sources almost wholly foreign to commercial relations, it is wholly or almost so, independant of commercial dealings. Whereas the capital of the ordinary capitalist is a sum embarked in the sort of commercial speculation connected with the produce, &c on which the advances are made. This sort of capitalist goes on for his own interest Once fairly embarked, *he* does not stop, or if he does there are others ready to take his place; his interests are those of the people with whom he trades—but the Government sits aloof, intervenes or not as it pleases. Its airy is in the cedar's top, and dallies with the wind, and scorns the sun, and, according to the *Englishman*, doles out *bladders*, to the floundering merchant, or not, at his pleasure. Better it were so, we say, for the merchant, that the bladder had not been doled out all; that the necessity for it had not existed; and that the ingenious parable in which our cotemporary is pleased to speak had not been uttered.

With respect to China, the consumer, and the tea pot, we do not see the force of the observations of the *Englishman*. Scandalous abuses, and private jobbers, we agree, ought to be put down; and their existence at all, is, we should think, a very strong argument against the system of advances. But whether market overstocked with teas, will benefit the *tea pot* in England, is another question—the probability on the contrary is that the Government advances will drive private capital *into other channels* and that the good folks at home, will still enjoy all the benefits of a monopoly of teas by the great Government capitalist, malgre the charter, and Kings, Lords and Commons to boot.—*Hurkaru, April* 28.

We little imagined, while we were writing upon the subject of the opium market, that Government had actually postponed the sale to the 8th June. It was indeed so rumored in the *Courier*, but as our contemporary's information is not always correct, we went to press fully confident in the ultimate fulfilment of our prophecy. We hear that the declared object of Government in putting of the sale, was to do the best they could for their own finances, and they satisfied their consciences with the belief that this arrangement was in the present uncertain state of things in China, fair towards the dealers who are not in a condition to take advantage of a great sale at the present moment.

As we said before, we cannot doubt that the suspension will be of service to sundry speculators in the drug, or whence the representation which was either sent in, or on the point of being so? But we cannot flatter the Government with any assurance that they have made a financial hit in this instance: at all events the advantage they may expect to reap, will be more than counterbalanced by the ultimate consequences of the virtual breach of faith which it involves. Who, hereafter, will have any confidence in the Government announcements? What honest trader, who trades upon his own capital, will keep his money to effect purchases here, when a stroke of the pen may derange all his plans and give undue advantages to reckless and penniless bazar speculators—men of straw, who live only by the caprices of fortune and the whims of authorities? The opium, must sooner or later go to China, and those who purpose dealing in that commodity will, by such whimsicality as we have adverted to, be driven to keep their money in China and make their purchases on the spot.—*Englishman, April* 27.

We have a great mind to write an article on a short article which appears in yesterday's *Englishman*. *We* furnish his scribes daily with subjects for their lucubrations. They, for mere lack of matter, are compelled to take the *Hurkaru* for their text, and their comments on the 1st text are in all conscience sufficiently absurd. Our cotemporary appears to be the sport of every wind that blows. The master Malapert who lately did his finance, was a strennous supporter of Government. On the subject of the Company's advances, the *Englishman* supports, as he thinks, the view of the majority of the merchants; telling them at the same time, that they are traders without capital, and little wanton boys who swim on the Government bladders far beyond their depth; that, in a word, the mercantile community, or that portion of it which stands in need of the advances, is *overtrading* and *capital-less*, and dependant in a great measure on Government for support! A very pretty compliment assuredly to the mercantile community, and we firmly believe it a *mere compliment*, at least intended as such by the blunderer who writes in the *Englishman* on the subject; and taking it altogether, as an assertion without foundation, it is nevertheless an odd thing to say of a mercantile community.

But on the subject of the opium sale, our Morning Star, our *Lucifer*, our light-imparting cotemporary, has altogether a different notion of things in general, and of the conduct of Government in particular. Government postpones the sale, *doing the best it can for its own finances!* at least such is the motive assigned by the *Englishman*; now let us fetch

awhile to our contemporary's howling on this:—

"But we cannot flatter the Government with any assurance that they have made a financial hit in this instance; at all events the advantage they may expect to reap, will be more than counterbalanced by the ultimate consequences of the virtual breach of faith which it involves. Who, hereafter, will have any confidence in the Government announcements? What honest trader, who trades upon his own capital, will keep his money to effect purchases here when a stroke of the pen may derange all his plans and give undue advantages to reckless and penniless bazar speculators—men of straw, who live only by the caprices of fortune and whims of authorities? The opium, most sooner or later go to China, and those who purpose dealing in that commodity, will by such whimsically as we have adverted to, be driven to keep their money in China and make their purchases on the spot.

Who hereafter will have any confidence in Government announcements? What honest trader who trades upon his own capital, will keep his money to effect purchases here, *when a stroke of the pen* may derange all his plans? Now we confess these questions of the *Englishman* do appear to us very pertinent questions, and particularly worthy of observation. The Government monopolist does not find it suit his finances to sell his opium, and the merchants begin to exclaim! their confidence in Government announcements is gone! that is, we presume, on the subject of the opium sales. Their confidence of some of them is still in full swing, with reference to the *advances*.

Government, in the matter of opium, consults its own finances; and postpones the sales, to the great probable loss of certain purchasers, who, want to buy cheap. Government will never of course be tempted to consult its own convenience on the subject of the advances; they will be ever at the command of those who, according to the *Englishman*, will *sink* unless these bladders of advances are extended to them. We will not now say anything more on this subject of a mercantile community throwing itself into the hands of a great monopolising capitalist, who has no interest in common with them; we will say nothing more about a capricious withdrawal of capital and a sudden change of plan of Government remittances brought about by the exigencies of Government, and State secrets, or by any other circumstances; should any such event take place, the *Englishman*, it is quite evident, will do all the howling called for on the occasion. We shall content ourselves with raising the voice of warning, be it the task of the *Englishman* to lament when the time for lamentation shall have arrived.—*Hurkaru, April* 28.

If there be any circumstance in a controversy which can give pleasure to a disputant, it is, the finding his antagonist reduced to a simple negative; and if that negative be given in the least courteous terms of which our language admits, it is only an additional triumph. We pointed out that the *Hurkaru*, after years of praise bestowed upon the permanent settlement, had all at once turned round and pronounced it a curse instead of a benefit. To this, he replies that the *Englishman lies*, or labours under the burthen of a mistake, marking by italics that he wishes it to be understood in a most offensive sense The proofs of his tergiversation are thrust in his face, and his answer is you *lie*—under a mistake. The originality of the criticism, is equal to its value as an argument, but, in his breathless rage, he has not been cautious enough to adhere to facts in his counter-accusations. He asserts that we accuse him of wishing to introduce the Marwarree system into Bengal. We did no such thing,—we said that he was lending himself to those who wish to overturn the permanent settlement. Surely we have sufficient grounds for the charge! Would not its enemies be justified in saying that it was given up by one of its oldest and steadiest supporters! Would not any public servant who has recorded his opinion against it, if indeed he should condescend to take notice of the *Hurkaru*, be justified in saying that the warmest advocates of this system now admitted that it had proved *a curse* instead of a benefit? If this be not a lending to the other side, it is a free gift,—a thorough and complete *letting*, an utter abandonment of principle, and one which, if we mistake not greatly, will be particularly unpalatable to the remaining seventy-four subscribers who have stuck by the *Hurkaru* in all its late extraordinary evolutions.

Our contemporary says, that he furnishes our *scribes* with daily matter for their incubations, and by way of proving, we suppose, that his speculations are entirely original, he treats his readers to about a column and a half in illustration of our comparison of merchants trading on borrowed capital to boys swimmings on bladders. The metaphor has so stuck in his imagination that he repeats the word "bladders" about fifteen times. As he dislikes this illustration, we will treat him to another. Let us suppose half a dozen villages snugly seated under the protection of the Company's bund, and that the engineers having reported that the bunding system is a bad one, proceed to cut away the bund at the top of the inundation. If the villagers remonstrated on the probable destruction of their property, would it be a sufficient answer to tell them "the bunding system is bad, and must be abandoned,—rivers will find their own natural level, and you will be much safer when the bunds are removed?" Might not they say, "wait till the floods have subsided, give us notice of your intentions, do not withdraw the protection we have relied on at a moment the most unfavorable for us." Would these persons be obliged to a spectator who, like the *Hurkaru*, cries "cut away by all means, it is any thing but complimentary to you, gentlemen, to suppose that you require support? We think they are much more likely to be contented with those who, like ourselves, join in their petition for forbearance. After the enormous inconsistencies which we have already exposed, it would be needless to shew

that the conduct we are advocating, (and which the Bengal government has adopted relative to advances) is in perfect keeping with the principles which our contemporary used to maintain. He is pleased to distinguish between the Editor of the *Englishman* and *our scribes*; we cannot let him off so easily: he prides himself upon his unity,—let him then bear all his sins of self-contradiction. We [illegible] up a dish of it whenever the critical humour comes upon him. In the mean time we leave him to digest the *permanent settlement*, as he best can. If it should prove too tough, we will stand by to administer a draught of bitters as occasion may require.—*Englishman, April* 29.

We call attention to a letter upon the much discussed question of the Company's advances, which takes a very sensible view of the subject. We do not think it necessary to add any further remarks of our own at present. —*Courier, May* 1.

To the Editor of the Calcutta Courier.

SIR.—Since the Charter granted by the Whig Ministry of the day to the East India Company in 1833, the three crores of rupees required in England, for the wants of the Company and the Government of India, must be exclusively furnished by India, which I presume to be the same thing as saying that it must be exclusively furnished by this presidency. It has become a question, publicly and keenly discussed, whether the Government ought to advance any portion of the money in its metropolitan treasury to the merchants of India, for the purpose of making the whole or a part of the required remittance.

I propose to discuss this question, really desirous both of information, and of making my own opinions as those of a comparatively disinterested observer know, and I trust if there is any value in my argument, it will attract attention and induce other men, who could throw light on the subject, to publish their sentiments on a question that concerns us all, and which, however it may touch here and there individual interests, can hardly be discussed passionately or without advantage.

My first proposition is, that whatever may be the mode of remittance, or to whomsoever the profits of exchange and *re-exchange* may go, Bengal (by which I mean the ancient Presidency in its whole limits for I am not local financier enough to settle proportions) finds the money. Secondly, that bullion remittances in silver are now totally out of the question. Thirdly, that as the Company can always grant bills at a more advantageous rate for itself as a seller, than the private merchant, or any other individuals, it is purely indifferent to the people of India, considered as a whole, whether bills are drawn from London or China, or advances made on the spot to the merchants of India; this proposition requires a primary notice of two slight exceptions: in stating it, I assume, that the advances to merchants on the spot and in China are made on perfectly safe principles and are as secure to Government, as if cash were paid into the Leadenhall or Calcutta Treasuries, and that the *excess of gain* which may have arisen hitherto on the *China* remittances cannot very long continue, and is not large enough in such a question to make a material qualification of the proposition necessary. I proceed to elucidate to the best of my power the third proposition, which seem to me the only one that requires any elucidation. Merchant or capitalist in London pays money into the Leadenhall Street Treasury, and takes bills on the Government at 1s. 11d. per Company's rupee; when cashed here, his Agent, (bullion remittances being out of question) must remit in the produce of India. It signifies nothing, whether such remittance is made on bills or not, or at the risk of the London or Calcutta Merchants the bills are drawn against Indian produce and the rate of the bills, the farthing more or less, or the commission paid, all this is purely indifferent, both to the Government, and the people of India considered as producer. The London merchant, or capitalist, supposing him to deal merely in bills, gets his money which he paid in London at 1s. 11d. per Company's rupee back again at from 2s. 2d. to 2s. 2¼d. or more even: and he gains from 13 to 15 per cent. as the case may be. Take it the other way, the Calcutta merchant receives advances from Government and makes his 2s 2d. to 2s. 2¼d. per Company's rupee or more, and receives his money back at 1s. 11d. or a penny better rate, and then (the year come round) the profit has been the same, only it remains in different pockets. If the money has been advanced in England it goes exclusively (agency commission apart) to the English capitalist. It is in vain as it appears to me to talk of the greater likelihood of loss, on one side of the Cape or the other, for the remittance must be made in produce, and at some body's risk—and if the money come in the first instance from London and be reimbursed here to the bill-holder, the remittance in produce must be made at the risk either of the principle or the agent or some third party, and what does that signify in the large question of benefit to India? If the whole of the three crores were steadily paid into the London Treasury of the Company by London capitalists or merchants, the whole profit of 13 to 15 per cent. would steadily go into the pockets of the advances there, subject more or less to the risk of return, and the Calcutta, Madras and Bombay merchants would only profit by an Agency Commission. If the whole of three crores on the contrary were steadily advanced here at known periods, the Calcutta, Madras and Bombay merchants would pocket the profits of exchange and re-exchange on short advance and profits and their London Agents the commission. This would surely be a benefit, if not to India at large, at least to its metropolis and capitacities, which cannot be an object of indifference to the local Government.

The Court of Directors, perhaps with a view to strengthen its city interests, perhaps on the

supposition that it was a sound and profitable financial measure, has opened its treasury for advances to the extent of three crores; this has necessarily cramped the measures of the local Government, and rendered the local advances in amount and in point of time uncertain, and that this is an evil all men agree. Late events have proved that the money market of England is nearly as subject to fluctuation as that of Calcutta, and that in such times no amount of advance in London can steadily be reckoned on; I throw it out for consideration, whether it would not be a steadier financial resource for Government to depend solely on the Indian money markets, advertizing its intentions before hand: I believe, that it would prove so. The uncertainty of time all men agree is as great an evil as the uncertainty of the amount of advance.

I observe that the Glasgow memorialists complain that the British outports do not benefit as much as London because the produce of India to the extent of the three crores must needs go to London. In the same spirit the capitalists of Calcutta, and the Agents of London capitalists complain of the late advance by Government because it encourages a tendency to speculation. Why, the holding back of money to take advantage of the wants of others is surely a speculation, and if a man would not advance to another at 2s. 4¼d. per sicca rupee because he hoped by and bye to get 2s. 6d. he was a speculator, and it was his business to consider the probability of a Government advance which should disconcert his plan as one of the chances of his speculation. I must say, I cannot see in political economy any reason why the speculations of the capitalist or money merchant are entitled to be considered as more or less mischievous than those of the merchant of produce, and it seems to me that an advance of funds to the extent only of two-thirds of value, to be *certainly* repaid at six months after arrival with charges, is an encouragement of lawful trade which is in its essence speculation, but not of rash speculation. Further, it seems to have been overlooked that since 1833, as well as before from 1829, the Government has always made advances in aid of its own remittances to merchants on the spot.

With the wish that the reasonings I have used, and the conclusions I have come to may be canvassed or confirmed, refuted, according to their deserts, indifferent as to what conclusions I may ultimately arrive at myself, I recapitulate them in the hope that they may be of some use and attract notice that may be more useful.

I think, that the local Government ought to have the power to make advances in India to the whole amount of three crores: that this would materially benefit the capitals and sea ports of India, while it would not in any wise injure the producing classes, though it would not as it seems to me benefit them, for to them it is indifferent who profits by exchange: that the periods and the amount of advance should be made public in due time before hand, and I believe that in such case the whole amount of produce required would be readily forthcoming. Lastly, that the Government in making its last advance has done a wise and beneficient act: it is the duty no doubt of Government as well as its policy to do such acts, but we ought to be thankful, and I can say so, with a better grace who have certainly no interest in the matter, that can lead me to advocate its policy.

Ibid.] QUOD PETIS, HIC EST.

The propriety of allowing the Company to continue their advances in India and China against bills upon London secured by merchandize, as a means of effecting their annual remittance to the home treasury, is still so strenuously disputed in certain quarters, that in spite of the many refutations which the objections started from time to time have received, must make a few remarks upon some features of the system which have been either overlooked or but slightly glanced at. The senseless clamour against these advances as tending to encourage speculation was well met by a correspondent in our last Monday's paper who justly observed that, whether the Company effected the transfer of their remittance funds from India to England by purchasing bills here or selling their own drafts in London, the stimulus to trade and speculation was the same in its aggregate amount, for the purchase of the Company's bills is as much a speculation as the purchase of goods, and not a bit more entitled to respect than any other branch of trade. But the merchant engaged in the business of exchanges, which on the Continent of Europe is called banking business, is only a money changer like any pice changing shroff in the bazar. Against the profits of the latter, when raised by combination or accidental opportunities, we cry out that they are extortioners, and Government is called upon for its influence in some shape to do away the nuisance—nay, Government is even urged to deprive them of their traffic altogether by undertaking the money-changing business gratuitously itself. Now this is just what the Company have done on a larger scale in China. The shipper of opium and cotton from Bengal or Bombay wants returns: the people of England want tea and silk: the proceeds of the opium and cotton might very well be applied to the purchase of the tea and silk, but the English consumer's money is in England and the Indian merchant cannot wait for a remittance to India from so great a distance. Fortunately for both a *banker* (the East India Company) having abundance of money at command, and unlimited credit every where, but especially in Bengal, opens a *kotee* at Canton for the mere purpose of remitting funds to England without otherwise interfering with the speculations of the merchant.—"You are just the man I wanted," says the opium trader, "here are my dollars: I can't get them away on board yonder clipper, because the export of specie from China is prohibited and the Mandarin boats keep a sharp look out

now: give me a bill upon your *hotes* at Calcutta." On the other hand, the tea drinkers in England, represented by an intelligent go between called a merchant, say to the Company's Agent, "Apply this opium money to pay for our tea in China and we will repay the amount into your banking shop in Leadenhall Street." "A bargain," says the Company's Agent, "and there shall be no commission charged, provided you give me ample security by a lien upon the goods." Is this not a banking agency conducted on the most liberal principles? If a set of private persons had opened an establishment for the same kind of business, not a word of objection would have been said, though their practice had been to subject the goods hypothecated to a commission: their profits of exchange and commission would have been regarded as only the fair profits of capital, and we never should have had the least complaint against them for encouraging the speculations of other adventurers, though perhaps they might advance a larger proportion of the value than the Company now do. Look at the present condition of the opium trade, as conducted here. The very same class of persons who condemn these advances of the Company while giving but two-thirds of the value, have been of late years advancing within ten per cent. of the market price here against opium consigned to their own friends in China: the Company have never advanced a single rupee upon that article; and if speculation has been bolder in it than in any other, the Company are certainly not to be blamed for it. Look again at the situation in which the trade is placed in China by a suspension of the Company's banking agency there. The seller who must make returns to India, has nothing to send but bills upon England uncovered by security, or foreign bills (thereby fostering a foreign exchange business.) He is not in a position to take bills secured by teas, &c., because the shipper of teas could not allow his bill of lading to be sent to Calcutta for transfer into an unknown hands, nor suffer the delay which such transmission would cause to the sale of his goods in England; nor, indeed, would bills of exchange so drawn be of easy negociation in a second market. In short, he is greatly embarrassed to get *any* returns of a suitable nature; while, on the other hand, the shipper of teas, &c., for England is equally embarrassed to negociate his bills, and obliged to give them at a higher exchange, and perhaps to pay a commission into the bargain, to a monopolising capitalist agent.—*Courier, May* 4.

We insert in another column, the Minute of Lord William Bentinck, to which we recently alluded, made in 1830, when the Government came forward to assist the Mercantile community, a few months after the failure of Messrs. Palmer and Co.; in opposition to the instructions of the Court of Directors.

Although his Lordship's expectations, or rather perhaps hopes, were disappointed in ultimately preventing the calamities, which followed in 1832 33, we are disposed to think he exercised a sound discretion under the then existing circumstances, affecting as they did both the Revenue and the Commercial interests generally; and had the panic subsided, it is possible the transition from an unsound and vicious to a more healthy system, might have taken place without the extreme evils, which fell so severely upon individuals. Lord Wm Bentinck, it will be observed, attributes much of the source of the evils to the policy and measures of the Government itself; and in a minute by a Director, which we shall also publish shortly, this part of the question is gone into at great length.—*Hurkaru, May* 8.

MINUTE BY THE GOVERNOR-GENERAL.

The information submitted to the Board, having satisfied us that there exists an urgent necessity for the interposition of Government, if we would prevent the failure not of some, but probably of all the principal houses of agency, I wish to state the chief considerations that induce me very reluctantly, but very decidedly, to conclude that we ought to afford the solicited aid, together with some remarks of wider application that arise out of the discussion. The general sentiments expressed in the Hon'ble Court's dispatch of the 2d of April 1828, have my entire concurrence; so that in coming to the above conclusion, I have not only had to weigh the paramount obligation of obedience to the instructions therein conveyed, but to combat the previous conviction of my own mind. There is no doubt that the state of things out of which the necessity for our interference has arisen is (to use the words of the dispatch) hollow and dangerous. And if an immediate change could be effected, through the failure of the established houses of agency, without any very great mischief to the public interests, or if our interference were likely materially to impede that gradual change, which it is desirable to effect, I should not have felt myself justified in departing from the strict letter of the Court's injunctions. I am satisfied, however, that the consequence of such a failure as is apprehended, would be of the most mischievous description, and there appear to be reasonable grounds for thinking that the desired change will be gradually effected, and at no distant period, when, of course, the Government will be free to act upon those just principles of commercial policy, which the Hon'ble Court have inculcated, and from which nothing but the strongest sense of a necessity, arising out of the special circumstances of the country, has induced me to depart. The degree in which the trade of the country depends upon the principal agency houses, cannot be precisely stated without a more minute enquiry than there is time or authority to institute. That it would be very extensively affected, however, by their failure, is certain. Of the indigo produced in the last season, of which

there is any detailed account, amounting in the aggregate to 1,49,285 maunds, it appears that 1,08,603 maunds were consigned to the firms specified in the margin; and in the correspondence with the Board of Trade in 1827, when relief was last granted to the merchants, it is stated that out of above 2 crores of advances, 1,60,00,000 were issued by the six principal houses. Of other articles of import and export we have not the same particular information; but there is no doubt that a very considerable portion of both pass through the houses in question. The trade in lac and the manufacture of rum depend, I believe, upon support from them in at least an equal degree with that of Indigo. Of the shipping belonging to the port of Calcutta, consisting of 91 vessels, they are stated to have the managing ownership or agency of 59. The steamers not belonging to the company are theirs. The chief dockyards I understand belong to them or depend upon them for support. The Fort Gloucester establishment,* the success or failure of which will be very important to the country, is in a similar predicament. The same remark applies to the Burdwan Collieries, to the establishments in Sagor Island, of which the society having already exhausted its funds, the clearage appears to depend on the success of the individual speculators. Of the inferior merchants and European manufacturers and traders throughout the country a great proportion are understood to lean on the principal houses of agency, and generally I should say, that with exception to the Strand Mills† it would be found that (excluding Government concerns) the funds required for the different schemes in agitation, or in progress, for the improvement and extension of the manufactures and *agriculture* of India, must be collected and supplied by them.

A. and Co.	27,461
P. and Co.	24,665
F. and Co.	22,159
C. and Co.	15,593
C. and Co.	13,469
M. and Co.	5,353

It must be superfluous to state how large a mass of property would be lost to the country by any sudden interruption in the cause of the commercial dealings that hinge on the solvency of those houses; for there is no other class of capitalists to take their place, and of many things the entire destruction will be the consequence of a stoppage for a single season. Already I understand, nearly two-thirds of the indigo advances have been made, in which a very great loss would necessarily ensue. That the public revenue must suffer from any general derangement of the commerce of the place, it must be superfluous to state. I will not dwell upon the distress to individuals, and especially of many who have retired from the public service, because, apart from the general circumstances which determine the character of the commercial character of the country, such a consideration ought not, perhaps, properly to sway us; and because the circumstances of the cases, as affecting the creditors of the several houses, must have been fully present to the Honorable Court when their dispatch of the 2d of April 1828 was written. Some of the considerations which bear importantly upon it, may not have presented themselves, and to those, I shall now advert.

In the despatch above mentioned, the Honorable Court have justly regarded the system according to which the commerce of the country is conducted, as one which it is very desirable to remedy; but it appears to me that the mischief deplored is the necessary consequence of those principles by which their government has ordinarily been guided. In the dread of evils, to the existence of which no one formerly gave credit more strongly than myself, but which the most careful and diligent enquiry into the subject during my present residence in India, has led me as entirely to disbelieve, British subjects were long denied free access to the country. Even yet they are subject to many restrictions adverse to the growth of capital and skill and credit. They have been debarred from the purchase and permanent occupancy of land, and, under the existing system of Government, are equally excluded from all public employment both of honor and emolument. Those belonging to the service have been even more restricted in the employment of their capital. Their settlement in the country has been pointedly discouraged, if indeed any discouragement were necessary where there is so little to attract or attach. Under such circumstances, it could not have been expected that British capital should abound, or that British capitalists, not enjoying any share of authority or power, should remain in the country an hour longer than was necessary to accumulate a fortune, proportioned to their (real or fancied) wants; and the tardy and feeble efforts made to raise the natives to the capacity of supplying their place, have as yet had little influence on the general course of commercial dealing. Hence it has necessarily resulted, that those branches of trade which require British skill, or an extensive knowledge of commercial relations, have generally been conducted by gentlemen, who, like the Company's Civil and Military Servants, have started with little or no capital, and have mainly depended upon funds borrowed on the mere strength of character, and on the assurance of that liberal income with which the agency of extensive concerns rewards the labors of honorable and intelligent men. Hence the unavoidable occurrence of embarrassment to the most prudent when any thing occurs to disturb the confidence usually reposed in them, and this without their having in any degree extended their speculations beyond the assumed demand of the market. Hence the possibility of their failure, if a panic, such as is stated to have been occasioned by the bankruptcy of Palmer

† Belonging to Scott and Co., but carried on and supported by Ferguson and Co.

* Mills for grinding corn and paddy, supported by British capital.

and Co., should long and extensively prevail; although, but for such sudden and unforeseen interruption, they would have not only redeemed all their obligations to others, but also accumulated an ample fortune for themselves.

It would manifestly be very advantageous if the commerce of the country rested more on the foundation of real capital, especially those branches which require the fixed investment of stock, and which are consequently liable to be seriously deranged, when there is a sudden contraction or withdrawal of the funds by which such stock has been provided. With a numerous body of capitalists, whose credit was subsidiary merely to their proper stock, and with those different gradations that naturally find their place in a well-ordered society, all the commercial and agricultural transactions of the country would acquire a character of solidity which can never belong to speculations almost wholly conducted upon borrowed funds, and under a system which forces the exporting merchant into immediate dealings with the poorest description of cultivators dependent on the advances made from such funds for subsistence and the means of production. The enterprize of the community might then be steadily directed to the improvement of the natural resources of the country, in comparative security against those reverses to which many most beneficial schemes are now exposed. The violent fluctuations to which the money market is so frequently exposed, would cease or would rarely occur: the interest of money would be more justly regulated by the advantages to be derived from its employment, instead of being usuriously enhanced in consequence of real and fancied risks, and the trade and revenue of India, resting on the broad basis of nation-wealth, would no longer require to be bolstered up by measures such as that to which we have now had recourse.

Already, in consequence of the greater freedom given to trade, a considerable change has been effected at the presidency. The privileges that were formerly confined to the Company and a few agency houses, are no longer restricted to so small a number. There are now several establishments supported by British Capital, which receive extensive consignments from England and effect their returns independently; and the transactions both of the European and native community, exhibit a decided progress in enterprize and knowledge.

One thing only seems necessary to the full and speedy attainment of that healthy and vigorous condition of things which we seek to establish, I mean the free permission of British subjects to settle in the interior, and to acquire a property in land under a suitable system of law. On this subject I need not now enlarge, since we have already had occasion to discuss the matter at length, and I trust the Hon'ble Court will concur with us in promoting a measure fraught into such vast advantages to England and to India. The necessity under which we are now placed, of interposing to support mercantile credit, is but one of the many evils that result from the unnatural barrier which our restrictive measures have opposed to the progress of improvement. I cannot believe that such measures will be persisted in, and I cannot imagine that England will longer continue to neglect a field of such promise; and in the confidence that we shall witness at an early period a great and beneficial change in the commercial relations of the country, I feel the less reluctance in yielding to the present exigency, at the sacrifice of principles which such a change will indispensable establish.—*Ibid.*

It has frequently been our task of late to expose the sudden turnings of our morning contemporary. As capricious as an English April day, we know not where to have him. He seems, like children with their houses of cards, to take no small pleasure in demolishing at one blow, all that he had been carefully building up previously. The other day, he unceremoniously kicked out of doors his old favourite the permanent settlement, and since that he has been breathing war and slaughter like a recruiting serjeant, after years spent in preaching an almost quaker-like forbearance towards the Chinese. We have not leisure to follow our brother Editor through all his vagaries, but as he has been much more noisy than argumentative as to the Company's advances, we acknowledge that it was with no small surprise that we found him at work yesterday praising Lord William Bentinck for assisting the insolvent agency houses. Is it that his admiration for the late Governor-General blinds him to the inconsistency of his present sentiments with those which he uttered only a week ago, or can it be true that the clamosynary contributions which adorn his columns are unread by any one competent to understand them?

We argued on the present occasion of commercial pressure, mainly occasioned by the acts of the Government, (a fact susceptible of proof,) that it was an act of good policy and public benefit to continue the advances on which merchants had been accustomed to rely. The *Harkaru* answered us with an outcry of the injury done to the private capitalist, and a vast variety of other matter which it is needless to recapitulate. Yet we now find him approving the *letting-down-easy* system which we advocated, thinking that Lord William exercised a sound discretion in advancing money to the agency houses, and asserting that if the panic had subsided, the transition from an unsound and vicious to a more healthy system, might have taken place without the *extreme evils* which fell so sorely upon individuals. Why this is repeating our argument! Our very illustration of swimming

upon bladders, which stuck so in our contemporary's imagination that he repeated it fifteen times in one column, is exactly parallel to the line of defence he now takes up! Is there any thing in the case of the old agents that made them worthy of the extraordinary interference of Government by a direct loan on the security of property, whilst the present merchants of Calcutta are unworthy of the mere indulgence of not being injured by a sudden change in the operations of Government? The *Harkaru's* rooted affection for the old firms has blinded him, in this instance, to every thing like principle. What would he have thought or said of an argument put forward by the other houses, shewing the propriety of government letting the six great firms fall to the ground at once? Would he not have exclaimed against the bare selfishness of those who were seeking to rise on the ruins of their falling neighbours? And yet such an argument might have been supported upon the strictest principle, a direct loan from Government being a sort of support that no merchant could have anticipated, or made any commercial calculations upon, whilst the remittances by advance have been long enough in practice to affect every operation in which the exchanges are an element. To secure to three or four greedy speculators, a rise in the exchange, with the not improbable consequence of a most serious injury to the mercantile body generally, the *Harkaru* would stop all Government remittances at once. But when the recollection came across him of the sufferings of the late agents, he was melted into compassion and approved of Lord William's interference. If indeed the creditors of those firms had been saved from the calamity which awaited them, the interposition of Government would have been of real utility. But the effect was merely to enable a certain portion of knowing or favored creditors to get paid whilst the mass were only plunged into a deeper ruin. The *Harkaru's* twistings in this matter are not unaccountable, but they deprive him of all authority on the subject, as the worshippers of the idol will not fail in future to recognize the voice of the priest who speaks through it.—*Englishman, May 9.*

We to-day insert a copy of the minute of a Director, written in 1832, on the subject of the assistance afforded to the old Agency houses in 1830; and which, though somewhat lengthy, is worthy of perusal. The action of the financial measures of the Government from 1824 to 1830, on the mercantile interests, is clearly and elaborately developed; and the enormous amount transfered from the one to the other, in 1827 particularly, will excite surprize. This document is, indeed, altogether an interesting one, and establishes perhaps more strongly even than the writer thought, the extreme danger of the system on which the commercial operations of the country were then based; but we repeat, upon the whole, we concur with him and the court of Directors, that under the existing circumstances, Lord William Bentinck exercised sound discretion" in affording the assistance, in opposition to the spirit of former orders. This qualified opinion has exposed us, we observe, to a charge of inconsistency from our steady, inflexible, abstract principle morning co-temporary, who, on the same day and in contiguous columns, advocated the interference of Government to assist the silk and indigo market, and deprecated it in regard to the opium. But the fact is, the charge is idle. There is no analogy between the circumstances in which the old and modern mercantile systems are placed,—and the measures, therefore, which might be defensible in regard to the one, would be inapplicable to the other. We may illustrate this position by again adverting to the cases of the Bank of England and the Bank of Bengal alluded to yesterday in respect to the dealing in foreign Bills of Exchange. From local circumstances, it would be safe in the one, and extremely hazardous in the other. The inconsistency is in those who would force dissimilar things into uniformity, and who are unable to comprehend or unwilling to acknowledge, the truth of the old adage, "what's one man's food, is another man's poison."

The main argument upon which Lord William Bentinck and the Director rest their defence of the assistance afforded, turns upon the peculiarity of the mercantile system obtaining in India previous to the granting of the last Charter, or what may be more properly called, the complete opening of the country to European skill and capital; and that that system, good or bad, having been created by the policy of the Government, became entitled to its protection in a way, which otherwise it would not have been; and which claim would cease and determine upon the adoption of a different policy and the introduction, as it was supposed, of a different system. The old Agency houses were swept away, and were succeeded, as our cotemporary has repeatedly assured us, (until the last few days his note has changed,) by a system, free from all inherent weakness and proof against all external injury. We, therefore, albeit not given to place any superfluous confidence in his assertions, and believing, as we still do, that the system *is sound*, did certainly venture our humble opinion against the policy and the justice of opening the Treasury for advances on produce; echoing the views of a considerable proportion of the mercantile community both here and at home, that such advances not only led to over-trading, but brought the revenues of the Government into competition with private and *bonâ fidè* commercial capital, against the intention of the legislature, and the provisions of the last Charter. Upon which our cotemporary explains, and we beg our mercantile readers to recollect, "*non meus hic sermo.*" "Why, if the Government does not advance my 'faithful friends' cannot swim, these advances are 'bladders necessary to float them, for they are out of their depth." Call you this "backing of

your friends?" They certainly ought to feel much obliged for being thus introduced into a controversy on political economy, by their awkward *soi disant* champion; and it must be gratifying to them to find that in order to oppose "*per fas et nefas*" the line of argument we took on a general question, they are recklessly pushed forward, the victims of his spleen and the apologies for his ignorance.

In regard to the second charge of inconsistency connected with the Permanent Settlement question, it is disposed of as easily as, and in fewer words than, the first. The same obliquity of vision in our cotemporary, is apparent; in wilfulness or incapacity (he may choose which horn to sit upon) he confounds manifold objections to the practical working of Lord Cornwallis's act, with the admitted excellence of the intention and principle.—*Hurkaru, May* 11.

LORD BENTINCK'S MINUTE.

I object to paragraph——* animadverting on the Financial letter from Bengal, dated the 31st January 1832, respecting the loans made to the merchants in 1830. It appears to me, that the Court could not at this time, with propriety, express *surprize* at *discovering* the extent of the advances or the nature of the security on which those advances had been made, in as much as both circumstances, (certainly, at least, the general description of the security) were before the Court, when they addressed to the Bengal Government their former despatch on this subject, dated the 20th July 1831. And I own, I cannot see the pertinency of the remark touching the security that, "whatever might be its estimated value, it is one which could not be converted into money;" for had it been a security readily convertible into money, the parties need not have resorted to the Government for a loan at all; and on the other hand, as far as concerned the interests of the Government, it could scarcely, I apprehend, be very material, in the actual state of the Treasury, whether the security was readily convertible or not, provided that it was *sufficient*.

But I feel an objection much more vital and important than either of these, applying, not to any particular passage or expression, but to the whole tenor of this paragraph. I conceive that the orders of the Court respecting loans of this description, have been already made known to the Bengal Government in terms as full and explicit as it was possible to use; I can see no necessity, therefore, for recurring to the subject; nor can I imagine any thing more surely calculated to check the return of confidence, or prolong that commercial distress, which this loan (sanctioned now by the Court as an act of "*sound direction*" under the special circumstances of the case,) was intended to relieve, than the periodical transmission of despatches written in this tone and spirit. It cannot be supposed, that communications of such importance to the interests of the commercial community can be kept altogether secret, nor that, when rumoured abroad, under such circumstances, they should not add to the existing distrust and excitement. I have reason, indeed, to know from good authority, that the panic which occurred in the Calcutta money-market after the failure of a mercantile house in December last, was greatly aggravated by reports which had just before began to circulate in the bazar respecting the purport of the Company's orders of the 20th July 1831, on this subject; and I learn from another quarter, that, but for that panic which was prolonged through January by several of the oldest native money dealers at Calcutta and Benares also suspending their payments, the arrears of the loan to Government would in fact have been discharged; so that the proceedings of this Court, however contrary to the Court's intention, may be said to have already in some part contributed to that very delay in the repayment of the loan, which is now complained of.

It appears that of the sums originally advanced to the merchants, amounting in all to sicca rupees 25,60,000, there remained due in January last sicca rupees 8,82,421; and as this implies an extention of the periods for which the loan was originally granted, without any reason for such extension having been assigned by the Bengal Government, it may not be improper, that the Court should call the attention of that Government to the subject, and should express their desire that the remainder of the money may be realized with as little delay as may be practicable;" but I do strongly object to an order being issued so peremptory, as would leave the Government no alternative but a summary enforcement of their whole out-standing demand, without previous notice. Circumstances may easily be conceived, in which such an order might operate more extensive mischief than even that which it was the original object of this loan to avert. Nor, even in that which I trust is the more probable case, in the case that the arrears shall have been paid up and the whole transaction closed before this dispatch shall have reached India,—not even in that case can we be quite sure, that the mere arrival of such an order may not have its effect in the still irritable mind of the public, and give a fresh shock to credit.

As I do not often trouble the Court, I may be allowed, perhaps, on this occasion to offer a few observations on the general question as to the expediency of our Government's being invested with a discretionary power of assisting the Merchants, in certain cases of emergency, with loans from the public Treasury.

* The Paragraph in the Court's letter, objected to by the Director, was cut out by the Board of Controul.—Ed.

Messrs. James Scott and Co.

On this subject I have the misfortune to differ from other members of the Board, whose opinions I am bound to respect; but considering my own former connexion with a house of business in Calcutta, and the strong interest which I am known still to take in the prosperity of its concerns, I have hitherto felt a delicacy in coming forward to put my sentiments on record. As the real merits of the question, however, appear to me to have been very much misapprehended, and as the views entertained by some with regard to it, are not only in my opinion erroneous, but threaten the most pernicious consequences in practice, I cannot permit any personal considerations to divert me any longer from the performance of what has become a duty."

The system of business at the different presidencies of India, it is well known, has for a long period been conducted on principles different from those on which commerce is carried on in most other parts of the world, and whatever may be its merits, it is a system which has naturally and necessarily grown out of the peculiar circumstances of that country. Calcutta, Madras and Bombay are severally great commercial marts of export and import almost isolated, in the midst of a vast territory, inhabited by a population comparatively barbarous, and sprinkled over with civil and military stations at great distances from each other. The civil and military servants can find at those stations no employment that is accessible and safe for any money which they may save, all, therefore, flows to the presidency; and the houses of Agency there have become the channels through which a considerable share of such savings are yearly distributed over the country, giving life to industry, extending cultivation and improvement, and returning to the state a portion of its disbursements in the shape of additional revenue.

Whether this system be a radically bad one, or whether it is likely in process of time to be superseded by a better, I shall not now stop to enquire. It is enough, that it is the system actually existing, that it is not in the hand of Government to substitute any other for it, and that until time and circumstances shall have wrought some great change, upon its prosperity must depend no small share of the general prosperity of our Indian empire. It can scarcely, however, I should suppose, be said to have worked *very* ill, when it is seen what credit the houses of agency have enjoyed, what fortunes have been made in them, and that until the recent bankruptcy of Palmer and Co., there had been scarcely an instance for the space of more than half a century of any house of agency at Calcutta, of the least note, suspending its payments. I advert to this point more particularly, because Mercer and Co. and other houses who have failed of late years, have been spoken of as houses of agency. This is quite a mistake. They may have done a little agency business, but it formed a very inconsiderable portion indeed of their concerns, Mercer and Co. were in fact merely up-country merchants on a large scale, supported by advances from the houses of agency at Calcutta.

That, like all other commercial systems, this has been liable to occasional derangement from over-trading, certainly is not to be denied; nor that such over-trading has brought with it its usual consequence and corrective loss. But there is also another cause of disturbance which must be allowed by every one, but those who wilfully shut their eyes to every side of the question but one, to have influenced the vicissitudes of the Indian money market at all times much more powerfully than over trading. I mean the financial operations of the Government. These, indeed, I will take upon me to say, have constituted the main influence, by which every important crisis in commercial affairs, particularly at Calcutta, has been more immediately brought about. Indeed, the immense scale on which the Company's operations of this description are conducted, and the advantage over individuals in point of credit which they necessarily possess, give the Government an entire command of the money market, and enable it at pleasure, sometimes by opening loans, sometimes merely by economizing its disbursements, to draw into the Treasury nearly all the circulating specie of the country, and at another with equal facility by advertising loans for payment, to replenish the market to overflowing. I do not mean by this to express a doubt, but that this power is generally exercised with as much consideration for individuals, as is consistent with the necessities or convenience of the state; but those necessities frequently supersede all considerations. The Calcutta money market, though one of large resource, is still a limited one and very much isolated; the natives are not so fond now of hoarding as formerly; the ordinary circulation probably does not employ more than (I speak at hazard) about a crore and a half or two crores of rupees, partly silver, partly paper; and when that is exhausted, the vacancy can be but slowly and imperfectly supplied from the commercial marts of the interior, owing to their distance, their dispersion, and the want of all means of rapid conveyance. It is not, therefore, to be wondered at, that sudden and violent derangements of the currency should be more frequent and of greater intensity in India than probably in any other quarter of the world. At particular times I have known it impossible, in Calcutta, for a week or more together, to raise even so small a sum as 20,000 rupees on Government paper or any other security.

Consider too the very peculiar difficulty under which the Indian merchant labours, from the vast distance, that intercourses between him and the countries with which he trades. Between the several presidencies, there is now very little direct commerce; they have few commodities to exchange with each other; and the vicissitudes of the money market, for the most part, affecting them all similarly at the same time, it is obvious, that

they can afford very little assistance to each other. Such derangements of the currency, therefore, are not to be set right with the facility experienced in a more improved state of society, by a rise or fall of the exchanges, and the stimulus thereby given to an increased importation or exportation of goods. Their great markets are Europe and China, divided from them in one case by more than half, and in the other by a fourth of the circumference of the globe. He must make his shipments therefore, always at greater hazard of disappointment than the merchant of any other country, because he never can have any recent information respecting the state of the market to which he is sending them. The shortest time within which he can calculate on receiving his returns, is about twelve months in the one case and eight in the other; and that only in case the market happens to be good. If it be bad, he can neither tell when his returns are to arrive, nor guess their amount.

To what quarter, then, are the commercial public of Calcutta to ask for relief, when their funds in England are locked up by some unexpected cessation of the demand for their staples, and when the resources on which they had reckoned for carrying on their current payments in the mean while at Calcutta, are suddenly swept away by an advertisement from the Treasury? Bills cannot be negotiated in all places, nor at all times; they are particularly difficult of negotiation at such times; and at best they can only be drawn to an amount considerably under the prime cost of the articles exported. What then? There is no Bank of England to resort to. As to the Bank of Bengal, it is well known to the Court, how entirely it is precluded by the strict terms of its charter, from enlarging its accommodations according to the emergency of the occasion: and besides, from the means which the Government possesses of influencing its proceedings, through the instrumentality of the three Government directions, and by holding large sums of the notes of the Bank in the Treasury, there is always reason to fear, that the Bank may be suddenly deprived even of those funds which it requires for its ordinary banking operations. This happened at the commencement of the Burmese war in 1824, when, contrary to the opinion of all the Mercantile Directors, (unhappily not urged with sufficient firmness,) the Bank was induced to subscribe 25 lakhs of cash to the four per cent. loan then opened. As for the new joint Stock Bank, again set up by the Merchants in 1829, its very limited capital of about 35 lakhs must obviously be quite inadequate to such purposes as I am now speaking of; and besides, being only a private establishment without a charter, its credit is liable to rise and fall with commercial credit generally, and on the panic accordingly, after Palmer and Co's failure, its notes were all sent in for payment like those of the other private Banks, and its means of affording assistance to others were for the time altogether cramped or neutralized.

Surely then, if there be any conceivable case in which a great Mercantile Community can be considered to have an indubitabl claim on the Government under which it lives, for such reasonable and temporary aid as that Government can afford, to avert the calamity of a general bankruptcy, it must be such a case as that of the merchants of Calcutta, who, by their geogtaphical position, are thus, like all Merchants in the world, exposed to disappointments and difficulties, which no degree of prudence can foresee nor precaution avert, yet who, on this as on former occasions, might still have escaped the extremity of any violent crisis, had not the Government itself become an unwilling accessory to its infliction.

•

So much for the genejal question. As to the transactions more immediately referred to, I shall dismiss them with a very few words. Those who dwell on the frequency of the instances in which this sort of aid has been afforded by the Bengal Government since 1811, and infer from thence that it has been gradually growing into a systematic practice, put the case, I think unintentionally in rather an exaggerated point of view. The loans prior to 1827 were in general accommodations for very short periods, on a deposit of Company's paper, and the greater part, I believe, taken up in anticipation of delayed remittances of bullion from China. There was no real distress till 1827, when the reaction of the great London crisis of 1825, coinciding nearly, in point of time with a large re-issue of Treasury notes, bearing a high rate of interest, and coming near the end of the third year of the Burmese war, on a market already exhausted by the incessant demands of Government for specie, with a 5 per cent. loan (a very tempting investment for those who during some years before had not even received a much higher interest from their agents) open since May 1825, certainly produced a panic that was equally unprecedented and alarming. Of the previous drain some judgment may be formed from the fact, that a single house of agency subscribed during that, and the preceding year of the war, from 60 to 70 lakhs of constituents' money to the loan: and that in that very year, or rather in 1827 28, the total sums paid into the Treasury, from all parts of the country, amount to no less than sa. rs. 3,5,518,912. A four per cent. loan was substituted in 1828; and the drain of cash was somewhat moderated, till the fatal event of Palmer and Co's failure, within *one week after which a second loan at five per cent.* was commenced at the Treasury, and with the Treasury notes which were still kept in activity, soon began again to intercept or absorb all remittances from the interior, enhancing to a fearful extent the subsequent distresses of the year. Nor did ever the advertisement afterwards in 1830 of 1¼ crore of the 5 per cent. loan for payment, afford much essential relief, for of that vast sum, the larger portion could not be immediately claimed at all, owing to the want of authority from the holder residing

in Europe; much of it was trust property belonging to wards of Court, and, with some other smaller sums, was transferred to a loan at four per cent.; and a further portion was paid at Madras and Bombay; so that there remained only about 16 lakhs altogether to be issued in cash.

I throw no blame on the Officers of Government for any of these arrangements. I believe that they did their duty not only conscientiously but rightly, and with great eventual advantage to the interests of the state. I merely mention the facts as forming a part, and very strong part, of the case of the merchants, and it is upon these various grounds, that I tell bound to deprecate the rigour, with which the discretion of the local Government, in all future cases of this nature, has been already bound up, and to oppose more especially the adoption of any new measure which might have the effect of rendering the interdict still more severe. I have confined myself very much in this discussion to the immediate question at issue between the Government and the Merchants, and have refrained from enlarging on another most important topic, which might have afforded ample materials for observation, viz. the intimate connexion which subsists between the prosperity of these great mercantile establishments, and the general condition of the country and the revenue. If the advance made to Palmer and Co. in June 1827, were attended with no other benefit, it at least saved from abandonment and destruction a large and valuable indigo crop, then far advanced towards maturity, and protected the Company from an extensive defalcation on their salt and opium sales, at a time when any loss of revenue would have been most particularly embarrassing,

NET IMPORT OF TREASURE INTO CALCUTTA.

1827-28 TO 1829-30.

		Company's	Private Trade	Total
		Sa. Rs.	Sa. Rs.	Sa. Rs.
1827-28 ...				
Net ..	Import	—	1,16,02,444	97,20,622
	Export	18,81,822		
1828-29				
Net ..	Import	14,33,984	37,05,197	51,39,181
	Export	—		
1829 30				
Net ..	Import	17,26,702	75,51,598	92,78,300
	Export			

CASH BALANCE OF THE GENERAL TREASURY AT CALCUTTA ON 30TH APRIL IN EACH YEAR.

	In Money.	Bank Notes.	Total.
30th April 1827	29,50,521	19,79,018	49,29,539
,, 1828	26,89,983	24,45,312	51,35,295
,, 1829	8,73,417	21,88,624	30,62,041
,, 1830	41,07,926	56,43,483	97,51,409
,, 1831	97,11,342	35,08,729	1,32,20,071

Amount Subscribed to Bengal Loans and Treasury Notes in excess of the Amount paid off in each of the Three Years, 1827-28 to 1829-30.

1827-28	Sicca Rupees	3,55,18,942*
1828-29	,,	35,35,500
1829-30.....	,,	22,25,500

[*Ind.*

Our 'steady, consistent, inflexible, morning contemporary' (we thank him for the phrase), has taken two days to return to the charge, and he retorts, "it is not I that am inconsistent but you; you advocate the interference of government as to silk and indigo, and deprecate it in regard to opium."

If our brother editor's readers are such green geese as to take this for a true representation of the case, heaven pity them, they are quite ready to be plucked by his disinterested friends the remitters! Ours, we take it, will be able to see without explanation on our part, that there was no contradiction in our argument as to the Company's remittances and opium sales. *Silk and indigo* are ingeniously substituted by the *Hurkaru* for specie, but the attempt is too gross to deceive any body. We claimed for the merchant, that Government should inform him, as early as possible, of its intentions, as to operations in which his interests are at stake, and that once having published those intentions, it should adhere as nearly as possible to what it had proposed. This applies equally to the remittances and to the opium sales. The Company publish in London that they will require above three millions sterling annually till further notice; and they inform the merchants of Calcutta in the month of June or July last, that they will only remit fifty lakhs from Calcutta during the current commercial year. The people in London being informed of these facts, and seeing that very small sums are paid into the treasury in Leadenhall-street, write to their correspondents here, under the supposition that the balance must be remitted from India and shape their operations accordingly. There was, consequently, nothing very surprizing in the Chamber of Commerce addressing the Government to know its intentions as to remittances, nor any departure from the established system in the Government declaring, in reply, its intentions that it would be prepared to remit a given sum. In putting off the sales of opium the very reverse has been done; the expectations of purchasers have been disappointed and the dealers in Malwa opium (the Company's rivals) benefitted by a departure from the scheme of sales for the season publicly announced six months back. If we had approved of one of these measures, without disapproving of the other, we should have been as inconsistent as the *Hurkaru*, who cries out against what he is pleased to call the interference of Government with capitalists in the same breath that

* Includes upwards of 74 lakhs borrowed from Scindia's Government, and 19 lakhs from the Rajah of Putteola.

he applauds Lord William's support to the insolvent agency houses. Our contemporary says that the charge is idle,—and why? because forsooth there is no analogy between the circumstances in which the old and the modern mercantile systems are placed. It may not surpass the *Hurkaru*'s hardihood of assertion to say, but it will exceed his power of argument to prove, that there was anything in the commercial system of 1831 that called for an interference unwarranted in 1837. He would lead his readers to believe, as Lord William seems to have been led to believe, that the fall of four or five rotten firms would cause a universal bankruptcy. He seems to forget that the Company's exclusive privilege expired in 1813, and that the late agency houses have not only declared but proved themselves to have been solvent at a much later period. If their system was a vicious one, they had ample time to change it, when the arrival of active competitors must have shewn them that the profits of trade were about to be curtailed. The retired partners of those firms have shewn that their affairs were sound and judiciously conducted, long after the change of system from a close monopoly to an open trade, and that the ruin brought upon them houses has been occasioned by the acts of persons who had not arrived at manhood when the monopoly expired. So much for Lord William's loan, which, as we have shewn before, did nothing but mischief. The *Hurkaru* repeats his outcry against the Company's advances leading to overtrading and competing with private and *bonâ fidè* capital. He cannot, or will not, understand, that, if a certain sum must be remitted annually to England, it is no more an interference with private interests to buy bills in Calcutta than to sell them in London. The question to the state is, how can the money be sent to the greatest advantage? and, when that is disposed of the Government is surely entitled to relieve the producers on whom it depends for its revenue from the gripe of speculators in exchange. There are but a few merchants in England connected with India, and there is consequently nothing like an open competition for the Company's bills. They must fall into the hands of a few, whose *bonâ fidè* capital is very likely borrowed, or partly furnished them by Indian business. The treasury here, on the contrary, is open to all, and any merchant may avail himself of what is no more than a reasonable and usual advance on goods in every part of the world. The *Hurkaru* will find it easier to cry out about his opponent's spleen and ignorance, wilfulness and incapacity, than to answer us by argument, as he acknowledges, by disposing of the *permanent settlement* in a few words. He has the audacity to say that we confound the practical working of the system with the excellence of the intention, when he himself has been for years praising the good effects of that very practical working, and shewn, by way of contrast, the superior condition of Bengal consequent upon its introduction. He now finds that there are manifold objections to this practical working, thus confirming his last view of the case that it had proved *a curse instead of a benefit*. No inconsistency whatever here! The *Hurkaru* has forgotten all that it has been about for years, and answers, like Sir William Curtis, when twitted with changing sides, "I have not changed, but you; I always intended to vote with the majority, and so I do still!"—*Englishman, May* 12.

We believe that the skinning of eels is, after all a cruel operation, much as they may be used to it, and we were therefore more than half disposed to have for once permitted our often flayed brother to repose in that neutral state where "ignorance is bliss," undisturbed by the sharp and shining weapon we have so often applied, *secundum artem*, to strip him of his slimy, slippery sophistries and pop him unpitied into our editorial cauldron, where, alas! "bladders" turn to "bubbles" indicative only of the intensity of his sufferings and our inhumanity. But as the subject is one of general concern, one in which every man in the country who has or may have a rupee to send home for himself or wife or children, is interested, we shall subdue the passing tenderness, and inflict that wholesome excoriation, which may possibly have the effect of "lashing him into utility" and keeping him in an attitude more conducive to the advantage of the majority of his subscribers, and better calculated to establish his own reputation as a political economist and as a chronicler of facts.

He commences his "defence of advocating the interference of Government in the silk and indigo market, and of deprecating it in opium," by a suggestion, both modest and true, that "his readers will be able to see without any explanation on his part," that "silk and indigo are not specie."

"Fleas are not lobsters," &c., &c., &c

But to have made out his position and the inference he intended should be drawn from it, he should have shewn how silk and indigo were independent of specie—how the 15 or 16,000 mds. of the latter, and heaven knows how many bales of the former, now in "durance vile" under the green Cerberuses of our Banks, were to find their way without a silver key on board the freight-seeking vessels, whose bright streaks of copper, tell a sad tale of empty holds and unbattened hatches, and throw an ominous glare on our deserted wharfs.

The Siamese Twins were not more closely attached, let our brother be assured, than the articles we have named and the precious metal from which he would so unkindly and unnaturally separate them. For all the purposes of our argument, they are the same if not one; and can *he* so soon have forgotten the "bladders, and the "bund," the "help me, Cassius, or I sink," as now to intimate there was no principle of affinity whatever between the advances on produce and the imprisoned chests and bales? But if there was,

would not this be tantamount to an interference in the indigo and silk market, as much as the postponment of the opium sale? We leave the answer to those who, like ourselves, see no difference between "tweedle-dum and tweedle dee," and repeat the charge of inconsistency against our cotemporary, who proclaimed the expediency of assisting one description of speculators, and the inexpediency of assisting another, both labouring, according to his statements, under difficulties connected with the objects of their respective pursuits.

We now proceed to his history of the advances. "The Company," he says, "publishes in London that they will require above three millions *sterling* annually till further advice, and they inform the merchants of Calcutta, in the month of June or July last, that they will only remit 50 lakhs from Calcutta during the current commercial year.' It would appear, therefore, that the Company calculated on receiving cash in London for their bills on India to the amount at least of £2,000,000, looking to Canton and Calcutta for the remainder. But continues our simple "friend," "the people in London [what people?] being informed of these facts, and seeing that very small sums are paid into the Treasury in Leadenhall-street, write to their correspondents here, *under the supposition*, that the balance must be remitted from India, and shape their operations accordingly." On this we beg to remark, that there must have been a more than ordinary fogginess of atmosphere in the vicinity of Leadenhall-street, and an equally unusual imaginative activity in the worthy citizens thereabout, to have seen so little and supposed so much; because we happen to have the slight fact here of 80 lakhs* of bills on the Company falling due the same day in August, and payable at the General Treasury, of which ⅗ths or perhaps ⅘ths were remitted *viâ* Malta from London; and if so large a proportion of the £2,000,000 became payable on one day, it will not require us to go far into the doctrine of chances to presume that the balance, or nearly the balance, was not tangible throughout the rest of the year. But were presumptions as plentiful as blackberries, we need not trouble ourselves about them. We have the February mail; where is the letter from the Court of Directors, stating their disappointment in having "small sums" paid into the Treasury, and the necessity of a remittance from India and China of £1,500,000? Our honorable masters are exceedingly sensitive to complaints in the chest, and often cry out before they are hurt, and it strikes us that "they too would have shaped their operations accordingly," had the state of things been "as seen and supposed by the people at home," or as seen and supposed for them by our cotemporary here. But our readers may recollect that this controversy originated in the observations of the "*Courier*" on the money-market, with whom we occasionally break a lance, but always in a friendly spirit, and who had startled us by some of those ingenious speculations, in which he not unfrequently indulges, and by which, on the present occasion, he had converted plenty into poverty and famine into wealth, reminding us in his description of "what ought to be and what is not" available capital, of the fugitive and evanescent properties of "Will o' the whisp"—

"It's here, it's there, it's no where."

We, on the contrary, questioned the accuracy of his position, doubted the extent of the pressure, deprecated all Government tampering, on light grounds, with monetary and commercial arrangements, and threw upon him, who was feeling his way towards the Treasury bags, the "*onus probandi*," that they were absolutely required. At this stage of the paper-warfare, our present antagonist joined the enemy, and hoped to have decided the day by his memorable metaphors of the bladders" and "bunds;" but he has been put "*hors de combat*," hoisted by his own petard, and so "*bunged*" by opium, that he is unable to distinguish.

"What is sauce for the goose is sauce for the gander."

The application of the Chamber of Commerce was made subsequently to the agitation of the question of advances in the demi official "*Courier*;" and of course without offering any opinion on the expediency or otherwise of such a measure, it was obviously interested in ascertaining, with as little delay as possible, whether it would be adopted or not; and our contemporary will find, we think, if he pushes his enquiries in the right direction, one very accessible to him that the determination to adopt it arose from the *ex-parte* representations of influential individuals and not from the Chamber. We now arrive at the second division of the dispute, in which we are made the defendants against the charge of inconsistency, for "having cried out against the interference of Government with capitalists, in the same breath that we applauded Lord William's support to the Insolvent Agency Houses." The argument on which this charge rests, is, we venture to say, as rich a specimen of the "*assertio falsi*" and "*suppressio veri*" as can be found in the annals of controversy, even though we included the theological works of an Atterbury or a Philpots.

He asserts, 1st. That "there was nothing in the commercial system in 1830, that called for an interference unwarranted in 1837."

2ndly. That "the Company's exclusive privileges expired in 1813."

3ndly. That "the ruin brought upon the Agency Houses was occasioned by the acts of persons who had not arrived at manhood when the monopoly expired."

* Vide Mr. H. T. Prinsep's note, p. 53, Bank of Bengal papers.

4thly. That " there are but few mer chants in England connected with India, and there is consequently nothing like an open competition for the Company's bills."

We shall smash these statements *seriatim*.

1.—It is notorious as the sun at noon-day, that the Old Agency Houses originated in circumstances peculiar to India at the period of their formation. They were the natural offspring of the policy of the Government who sealed the country against British capital, and they became sub-monopolies under the supreme monopoly of the East India Company. Never possessing or professing to possess funds of their own, they depended entirely upon the accumulations of the services, who having no means whatever of employing their money except in Government securities, liable not only to frequent and extreme fluctuations in value, but to sudden repayments or discharges, preferred remittances to their friends and quondam comrades The latter, therefore, were avowedly, the distributors of borrowed funds through the various channels of manufacturers, commerce, agriculture and of loans to individuals, receiving with one hand and lending with the other, and exclusively dependent on the permanency of these receipts to carry on their business from year to year. Practically, therefore, the system was that of a joint-stock Company, but deprived of the main safe-guard of such institutions, legal mutual liability. By the absence of this check, whilst on the one hand, the funds were invested in pursuits requiring a greater or less, but always a considerable time for ultimately profitable results, they were, on the other, open to requisitions, in many cases returnable at sight, and in none at a longer date than a few months. Obviously the working of such a machine depended entirely upon credit and the unshaken confidence of the contributors, no management—no prudence -no forethought could supply *their* place ; and all the ordinary vicissitudes of trade would have been comparatively harmless, so long as *they* had remained stedfast. Of the accuracy of this opinion, there cannot perhaps be a stronger proof than the bearing of these houses under the financial pressure which prevailed from 1824 to 1830, and which, though severe on all, fell upon one establishment in a more than rateable proportion, but which did not cause its failure. That calamity was the direct consequence of withdrawal of confidence by its largest creditor. This, therefore, is the essential and vital difference between the old and new system of agency. The one dependent exclusively upon borrowed capital, always claimable within a very limited period. The other, working as exclusively, according to general belief, with its own, capable of calculating its appropriation, free from the disturbance of all external causes, except the common fluctuations of markets and political contingencies. • •

But there are also accidental differences. Will our cotemporary point our any analogy between the monetary measures of Government from 1824 to 1830, and from 1833 to 1837? Does he not know that they have been almost directly opposite within these periods? In the former the Treasury, by all means in its power, attracting to itself the floating capital of the country; in the latter pouring it our with a liberality almost profuse ; competing with and obstructing the merchant in one case, and assisting him in the other, so far at least as the general easiness of the money market must favorably influence his operations.

2. We could not " have forgotten the termination of the exclusive privileges of the Company in 1813," inasmuch that they did not terminate. Some modifications took place, partial and limited, but why argue against such a paradox seriously? Do we dream? Are those ten ponderous folio volumes yclept "Affairs of India and China 1831—33," unreal mockeries? Were there then no Committees of Lords and Commons to enquire into—no report on—no evidence of—no lamentation from London and Liverpool—no murmurings from Manchster, and no growls from Glasgow at the continuance of privileges, which ceased in 1813!!' Was the China sea, after all, not a "*clausum mare*" to Free-traders? Could we come and go, *ad libitum*r —could we purchase lands and direct our skill and capital wherever we chose before 1833? If we could, then has the British Parliament been the dupe and the Honorable Company the victim of most egregious delusion, O'Connel's Indian Magna Charta, an idle boast, and the Board of Trade's self-praise, most abominable forgery.

3. The ruin of the old Agency Houses arose from one cause only, and that cause, panic, the resistless conqueror, before whom, establishments based on far less questionable principles must give way. At this moment, many reflecting minds consider the Bank of England in great danger. Within 4 months it had lost nearly half its gold—the drain continued through the Agency of the foreign exchanges, the slightest political or commercial convulsion like those of 1832 and 1825 might sweep away its last sovereign. Of the assets due to it, and good, so long as things kept their course, probably not 1-10th would be realized; for it is the inevitable consequence of such disasters to reduce the value of all property to the lowest scale, and an almost universal bankruptcy would follow.

In the case of the Indian houses, our opinion, formed perhaps by the result, when people become wonderfully wise, is, that they should all for their own sakes have stopped on the 4th of January 1830 with Messrs. Palmer and Co., leaving the winding up of their respective concerns, to the virtual proprietors. The "*prestige*" of their credit having been jeopardised by that event, the chances of recovery were against them; but we still think, Lord William Bentinck was, on the whole, right in endeavouring to avert or at least postpone the evil. [We are aware that

our cotemporary, knowing Lord William's unpopularity for having carried *the orders of the Court of Directors* regarding half-batta into effect, is fully capable of enlisting the prejudices of some of his readers by an "*ad captandum*" presentation of him in a matter wide as the poles asunder from the cause of offence; but the majority see through this artifice as clearly as we do.] At the same time, it was not unnatural that those who "had braved the battle and the breeze" for nearly half a century, should have been buoyed up by the hope of opposing successfully what they considered a temporary cessation of confidence, and undoubtedly they made a vigorous effort to that effect, but, as it proved, in vain. Again, many approved of the determination to keep their colours flying as long as they had a shot in the locker; and we must say there is a lamentable want both of judgment and generosity, in attacking those who thus struggled and fell, and in the same breath flattering others, who only at sea one-tenth of the time, with fair wind and weather, are already, according to the *Englishman*, throwing out signals of distress. But our cotemporary, candid soul, knows how easy it is to inflame the passions and mislead the judgment of those who lost their money, by a speculation which turned out contrary to their expectations, and hence his constant play upon 'rottenness' and 'favoritism,' and similar twaddle. Rottenness, indeed, who would not be rotten with an exhaustion-pump, playing from 1824 to 1833 with 60 to 70 lakhs annual power; and nothing coming in to supply the vacuum?

4. We will not profess to detail the number of merchants in England, connected with India; but as we import some 4 or 5 millions sterling per annum, we venture to guess there are owners for this property somewhere; and as to there being no competition for bills, why any man with £5 to £500,000 can buy one at the India House, and no questions asked.

But we must in mercy forbear, and as soon as our "friend" is out of hospital, we shall administer the remaining three hundred lashes with a new cat, dividing the punishment partly between the permanent settlement question and partly between the encouragement given to over-trading by a mercantile body *relying* on Government advances to enable them to carry on their business from year to year, this being his position. -*Hurkaru, May* 15.

An interval of two days has again enabled the *Hurkaru* to come to the attack as to the Company's advances. We pass over a vast deal of nonsense about the twin Siamese, skinning eels, tweedledum, and other stuff, which has as much to do with the matter as the exhibition of Timour the Tartar, or any other melodrama. The cat which our contemporary boasts of applying, is, we acknowledge, a weapon well suited to his hands: but he does not wield it dexterously,—it hurts no one but himself,—and if we may judge from the numberless twistings and turnings which he has lately exhibited, the smart must be both severe and lasting. With regard to the permanent settlement, we shall use our own discretion as to replying further to an adversary who began his defence of his manifest tergiversation by giving us the lie, and now ends it by promising us an answer another time. We would recommend him, before he again meddles with the subject, to read over the old files of the *Hurkaru*,—heavy reading it is true, and a severe punishment, but not half so severe as he will get from us if he comes again to the attack, ignorant of his own former sayings and doings, some of which we have got nicely arranged on little slips of paper, on purpose for his edification.

Now, with regard to the advances, the *Hurkaru* blinks the main question, that is the effect on commerce of a Government remittance, which we have repeatedly asserted, and again assert to be the same, whether the bills are bought in Calcutta or sold in London. Presuming this position to be unassailable, we see that the sole difference in the mode of remittance falls between two classes of merchants,—those who have money to remit and those who are shippers of produce. The *Hurkaru* is for favoring the former at the expense of the latter; we are merely desirous that neither class should be favored or injured by sudden changes in the financial operations of Government. The *Hurkaru*, finding himself in a dilemma in having assailed the Company's advance system, whilst he applauded Lord William's support of the insolvent agency houses, says that our charge rests upon an argument, which is a *suppressio veri* and an *assumptio falsi*. We do not wish to retort our contemporary's elegant phrases even when clothed in a Latin garb; he is welcome to cry out that our charge is false; we are satisfied with proving it true. In this instance it rested on no argument of ours, but upon his own words. He filled his columns, day after day, with an outcry about Government interference, and then, all at once, quietly patted Lord William on the back for his support to the tottering firms.

We asserted that there was nothing in the commercial system of 1830, that called for an interference unwarranted in 1837. To this he replies that the insolvent agency houses did their business on a different system, thus assuming that the five rotten firms, attempted to be bolstered up by Lord William, formed the commercial system of Calcutta in 1831. The greater part of the commerce of the first had already slipt into other hands, and was conducted certainly on a totally different system, and no interference of Government, short of paying the debts of the insolvent houses, could have restored them to a healthy condition. The ruin of these houses, he tells us, arose from one cause only, and that cause *panic*. That any editor should have the hardihood to assert this, after his paper has been

for years the vehicle of announcing their dividends of one, two, three and four annas in the rupee, passes comprehension. The evidence of the book-keeper of one of these firms has been given in open court, that it was utterly and hopelessly insolvent for years before it stopt, and how much better were the others, let their creditors speak. Our contemporary should have gone and preached to the natives who were watching their little property from the burning ruins of the bazars the other day, "my friends, stay where you are; *panic* is the whole cause of your distress, the fire is imaginary." We always thought that *panic* meant a groundless fear; in the case of the agency houses, the fear was as well founded, as that of the poor natives for their bazars. "Oh," says the *Hurkaru*, "their property was depreciated!' Depreciated forsooth! why it was pledged to this very same Lord William who was to have saved them all from ruin. We will not pursue this; we really pity the *Hurkaru*, reduced to compare the swindling artifices of insolvent traders to the gallant efforts of warriors fighting to the last. Let him republish, if he dare, Colvin's and Mackintosh's circulars after the stoppage of Alexander and Co, and blush for shame.

We have only one other point to notice, because we do not wish to allow him even the triumph of a disingenuous artifice. We had said the Company's monopoly ceased in 1813 The *Hurkaru* could not have misunderstood us, for we were speaking of Calcutta agents and the effect of throwing open the trade of India upon them He chuses, however, to point to the China trade and the "ten ponderous folios yclept affairs of India and China," and then exclaims "was there no monopoly?" But we are spared the trouble of replying to this elegent declamation because he repeats that *panic* alone ruined the agency houses, and therefore what had monopoly or the "old system" to do with it. No losses, no squandering, no bad debts hastened their downfal, *panic* alone ruined them. The word will be found engraven in the hearts of their members when they die, like *Calais* on Queen Mary's.

If this will not serve the *Hurkaru's* turn he is welcome; to reply he shall find us "yare." We cannot, it is true, serve him up an elegant treat from the polemical writings of an Atterbury or a Philpotts, but we can shew him a few curious productions from the record of the Insolvent Court, and the correspondence of the victims of the *panic*,—those who, he tells us himself, were losing 60 or 70 lakhs a year from 1824 to 1833, and nothing coming in to supply the exhaustion. He asked us the other day if we called this "backing our friends?" The bear which killed the fly upon the traveller's nose, was not so unfortunate in his attempts at backing as the *Hurkaru*.—*Englishman, May* 16.

In the course of all the turnings and windings which have latterly characterized the *Hurkaru*, it is impossible that at some time or other, he should not be running the same course as those who are usually his opponents. It was therefore without surprise that, we found him on Monday morning quietly taking for granted that the Bengal Government was likely to be a customer for Bills of Exchange to a considerable extent every year, and that the interest of the tax-payers requires the remittances to be made at the most favorable rate possible. For a month past, or thereabout, the *Hurkaru* could see no *interest* that ought to be considered except that of the *capitalist*, the dealer in money and securities, who would be cruelly injured by the competition of Government. We congratulate our contemporary on the discovery that the tax-payers have also some right to consideration, but we really cannot see how any competition of the Bank of Bengal could *permanently* effect the rate of exchange. That the sudden appearance of another capitalist in the market, of the dimensions of the Bank of Bengal, would effect it at the instant is clear enough, but as the whole money transactions of the country must adjust themselves according to results of profit and loss in a series of years, we do not see that the tax-payer would be either benefitted or injured by the transactions of the Bank, provided his remittances were to extend through the whole period of its operations, a fact which seems to be assumed by our cotemporary. So far, therefore, as the tax-payers are concerned, we are inclined to believe that no injury to them could accrue from the interference of any public or private capitalists in the exchange transactions of the country. But to the questions of a Bank becoming a dealer in exchanges, and especially a Bank so situated as ours, at the distance of half the globe from the great marts of exchange, we think that no prudent proprietor could answer in the affirmative. The temptation of a little extra profit could hardly counterbalance the risk. The true functions of a Bank those of a great money broker; it collects the capital of a vast number of small proprietors who have neither the means nor the intelligence to employ it advantageously, and distributes it again profitably to others, with the advantages of undoubted credit and accurate intelligence of all the principle money transactions of the whole community. Its natural profit is, therefore, a very small percentage, a *brokerage*, in fact, upon the vast sums which its daily transactions embrace, and its evident policy is "the *ready shilling, not the slow pound.*" The very magnitude of its operations renders occasional fluctuations of considerable extent unavoidable, and therefore, like a prudent general, it must keep its forces in hand, ready to meet attacks from whatever quarter they may come. Such a system cannot be reconciled with distant exchange operations, embracing periods of at least three or four times the extent, which prudent bankers in all countries have assigned as the limit of money transactions in point of time. Leaving out all political considerations, it is clear that a Bank, whose resources

are thus removed beyond its controul, cannot perform one of the most useful of its regular functions, that of a reservoir to accumulate the surplus means of the community against a moment of need. If indeed the Bank does not issue notes, it may set apart a proportion of its own capital for such operations, in the same manner as it might take railway shares, build cotton mills or buy ships, but the capital so employed would be lost for the usual purposes of banking, and ought, in fairness, to be considered as forming the means of a separate Joint Stock Company. But if, like the Bank of Bengal, it issues promissory notes to the extent of perhaps double its capital, what security can the public have in a case of sudden demand for silver that the whole business of the Bank, payments and all, may not be suspended. By limiting the transactions of such an institution to periods of three months, the coming exigency may be timely provided against, the signs of an approching demand for the precious metals are usually very distinct, and give ample warning to prudent traders. The merchant, whose capital is unavoidably involved in operations extending through periods of one or two years, may not be able to avail himself of this warning; and he then looks to the Bank as his proper resource for aid. What then will be his condition when he finds the institution, which ought to support him in time of need, itself involved in distant speculations, its capital gone to a distant market, and its remittances, in all probability, indefinitely postponed because they cannot be made to a profit? A more dangerous system of business can, we think, be scarcely imagined. The Bank, we are told, will only avail itself of the power when it is profitable; that we do not doubt, but when are the profitable moments like to occur? It is clear that a high rate of exchange is caused by the absence of remittable funds; there are more bills in the market than money. The Bank then steps in and takes away a part of the capital which ought to be applied to the trade of the place, because it can be profitably invested in bills. Its operations in exchange would then, according to the advocates of the new system of banking, take place exactly when they would be most injurious to the trading community. If there is a large accumulation of capital seeking employment, (a fact which we very much doubt, seeing the rate of Bank dividends) then let another chartered or unchartered company be established for the sole purpose of performing exchange operations. Its objects would then be clearly understood, its operations watched, and as they could not easily extend beyond its capital, it would have no other effect on the money market than the presence of another large firm or house of business. But we deprecate the interference of a *bank*, a coining shop, an institution which fabricates money, with the regular business of merchants, we see nothing but mischief likely to ensue from it, and we sincerely hope the good sense of the proprietors of the Bank of Bengal will put a stop to the project.—*Englishman, May* 18.

Our "friend" is evidently fretful and discomposed; our late punishment has been too much for his nerves and temper this smoking weather, but he must endure it, aye, and something more at our leisure. We shall by and bye endeavour to beat into his noddle the difference between Government advances made for the express purpose of assisting commercial communities, and those made with a view to tribute remittance only, and how the latter affect the general interests of trade. These are little mysteries of political economy, which it were unreasonable in us to expect he should know much about, and we hope he will not be ungrateful for the trouble we doubtless shall have in enlightening him thereon. But at present we shall be much obliged by his returning the compliment, and enlightening us, as to what he means "by seeing that the sole difference in the mode of remittance falls between two classes of merchants,—those who have money to remit and those who are shippers of produce." We pause for a reply, merely suggesting that *primâ facie* such parties would seem to be in the very best possible position for settling their business without the intervention of the Government at all. One has something to sell, and the other the wherewithall to purchase, a relation which accords most closely with our ideas of "freedom of trade." We shall in the mean time, point out a few more of the sins of commission and omission which he has blundered into in his attempt to escape from our lash. He asserts that the greater part of the Commerce of Calcutta had "slipt" into other hands previous to the assistance afforded by Lord William Bentinck in 1830 not 1831, a slight difference of date of no earthly consequence to a writer who makes such havoc with facts that

> "To him a river or a sea
> Is but a cup of tea,
> And a kingdom, bread and butter."

We meet this assertion by quoting the proportion of indigo consigned to the six houses in 1829.

Crop.	The six houses.
1,49,285	1,08,603.

and it appears from the correspondence with the Board of Trade, referred to by Lord William Bentinck, that out of 2 crores of annual advances 1,600,000 were issued by them, and that their interest in the general mercantile and monetary transactions of the country was in a greater ratio. It is well known, too, the few houses that were established at that time in connection with Liverpool, Manchester and Glasgow, confined themselves almost exclusively to the receipt of Europe goods, and the shipments of produce bought on the spot for returns, without engaging in internal commerce or agriculture, or acting as Agents and Bankers for individuals, either in Calcutta or out.

The "slip" therefore, we take it, was in our cotemporary's pen and not in the trade, which continued without perceptible change in the same channels to 1832, when an alteration was generally introduced, based on the principle, we have compelled him, with sundry distortions of countenance, to admit at last, viz., the substitution of personal for borrowed capital—a most excellent substitution too, and one which is the great strength of the existing system.

"Slip" the second is his definition of "panic," wherein he beautifully illustrates the figure of speech called "putting the cart before the horse." "Panic," he says, is groundless fear," whereas he ought, according to Cocker, to have said groundless fear is panic, creating evils which otherwise would not have occurred. The Bank of England might very easily stop payment under a panic, and by stopping, would hopelessly ruin thousands, but the panic itself would be equally liable to the charge of groundlessness.

"Slip" the 3d, is of a "*facilis descensus averni*" species, a suicidal slide, by which a man breaks his neck. We cannot form to ourselves any idea of an "amateur" swindler, a man throwing away his time and his trouble, not to benefit himself, but others. Our idea of a swindler has always involved individual advantage obtained by a cunning vagabond from dexterously playing upon the passions, the weaknesses and the prejudices of mankind, or we have fancied the character to fit a man who in a private situation, uninfluenced by commercial or other contingencies, possessing a definite income, wilfully exceeds it, and bolts from his creditors, or again we can imagine there is some resemblance to it, in one who draws up a scheme of general contribution, with a tacit intention of "doing the JOHNNY RAWS" the first convenient opportunity. Now we put it to our cotemporary whether this idea of swindling is not something more "*selon les regles*" than his own?

"Slip" the 4th. He is hard pressed about the cessation of the Company's privileges; but innocently exclaims, "That has nothing to do with it; by your own admission, the houses fell from panic and not from the old system," but, alas for his logic, it was the old system that made the panic so fatal. In a system where there are no lenders, panics are very harmless personages.

"Slip" the 5th, is the repetition of his own undeviating consistency on all matters and things; assuming of course that memory is "among the things that are gone." Do we not recollect his denunciations of the "Bengal Army" for murmuring against half batta —"the soul of chivalry" transformed into "sordid calculation" and "prompt obedience" into "unmilitary murmurings," or some exquisite antithesis of this kind. Have we not seen, yesterday the "injured, insulted Miss Polhill"—to day a jest and mark for his "pottery."

"Slip" the 6th. He again "hauks back" upon the old scent of "victims" of the panic, but is discreetly silent on the panic-makers, on the debtors to the several houses, on the inevitable wastage and depreciation of all property on a failure, and more extensively still, if there are four or five at the same time, or nearly the same time. On the inherent defect by which a virtual joint stock Company was divested of formal legal protection. All this, our cotemporary blinds himself to, in his "sweet humour" at having been driven from every shade of a shadow of argument in the defence of his own consistency, and in his charge of our inconsistency.—*Hurk. May* 19.

From the time which the *Hurkaru* takes to reply to us, we must suppose that he finds it a difficult task, or else that his auxiliaries are not ready at his call. However we must allow a little time to arrange the distortions of facts which he would fain pass before his readers for argument. He cannot even quote the old song correctly, which is about a rat. We will take the liberty to correct it thus,

> "In writing 'gainst the *Englishman*
> He made a fearful splutter,
> A river or a sea
> Was to him a dish of tea
> And a continent bread and butter."

He is continually talking of inflicting punishment, administering the lash and so on, which puts us very much in mind of the gentleman who cried to be held fast lest he should beat his opponent. A single argument would be worth a column of such raving boasts, and so we doubt not his seventy-four subscribers will think. It suits him to lose sight of the whole subject of dispute, and merely to allude to it in passing, by saying that business would best be settled without the intervention of Government at all. There is no doubt about that, but it has as much to do with the subject as if he had said that an editorial of the *Hurkaru* might be written without waiting for the full of the moon, when idiots are inspired.

Even an error of the press affords him a handle for cavil. We had said 1831 for 1830; it made no "earthly" difference, for if we recollect rightly, Messrs. Palmer and Co. failed on 2d January 1830, so that only the five houses were standing, and we repeat there was nothing in their position then, as far as the public is concerned, that justified the Government in supporting them more than it could, if they were standing at this moment. We had said that the greater part of the commerce of the port had slipped through their fingers, before Lord William's advances. Now how does this exact writer reply to us? If we had named indigo planting, he would have turned upon us and said that it was agriculture not commerce; but, as it suits him, he brings it and nothing else forward, in proof of the large share of the *commerce* of the port in the hands of the *six* houses. There were only five standing, and their indigo speculations were cut down

rather below 1829, we guess, but that being the last year of Palmer and Co. it suits him to bring it into the calculation, so that, according to this very accurate and ingenuous writer, the crop of 1829, proves the state of the houses when attempted to be supported by Lord William in 1832. The "trade, he says, continued without perceptible change in the same channel till 1832," when an alteration was generally introduced!

The next is really an amusing instance of hyper-criticism too good to be passed over. We had said that panic was a groundless fear; this, he replies, is putting the cart before the horse; we ought to have said groundless fear is panic. Now in our dictionary, not being written by *Cocker*, (pity it is this writer has not studied Cocker) we find definitions attached to single words, not to compound terms. We think we hear this best public instructor saying "little boy look for groundless fear," and the reply, I can find *groundless*, and I can find *fear;* groundless, "*without base*, like a *column* of the *Hurkaru*; fear, "apprehension," for the exposure of tomorrow! But the agents, he has told us, were ruined by panic. Where was the panic? when Palmer and Co. stopt, or was it not rather the sudden enlightening which the public got from the exposure of the affairs of that house, which led to the loss of credit experienced by the others?

Our contemporary next puts it to us what is or ought to be the definition of a swindler. We are not so fond as he is of inflicting punishment, of laying on the lash,—especially when those on whom it must fall have not provoked the attack, and, therefore, we would rather decline going into particulars unless compelled; but as he asks us whether the man who *bolted* was a greater swindler than the man who *stood*, we can only reply that it depends upon circumstances; if the man who *bolted* took a fortune out of the insolvent house to which he belonged, he was, according to our notions, as great a swindler as the man who staid to inveigle fresh fools into his toils. His idea of a swindler is "a cunning vagabond who dexterously plays upon the passions, weaknesses and prejudices of mankind for his own advantage." This is really alarming; we fear it will include all professions and ranks not even excepting kings. As for the *Hurkaru*'s friends, the agents, they are of course included; cunning, many of them have sufficiently shewn themselves, and vagabond, in this sense of the word, they certainly were, for they had all left their country in search of fortune. Now, we are not half so censorious as our brother editor; we would define swindling to be the obtaining money under false pretences, and we say that when men, in contemplation of bankruptcy, issued false statements of their own stability to induce people to put money into their hands, they were guilty of swindling. We have said, and we repeat, that we pity even the *Hurkaru*, compelled to compare such conduct to the gallant defence of an overmatched commander. We feel indignant at the comparison, tending as it does to cover with applause acts that ought to be held up to infamy. Putting aside all metaphor, it is evident that the only prudent, the only honest course for people in the unfortunate condition of insolvency, is to take care that their creditors get equal justice, and not by resisting all who can be resisted and paying all who cannot, to earn the applause of moralists like him of the *Hurkaru*, who compares such conduct to a glorious though unsuccessful defence against the ENEMY.

Our contemporary winds up with a tirade about Miss Polhill and the depreciation of property of his friends, the agents,—writing that he has driven us from every "shade of a shadow of argument." Such driving! May it long continue! He is like the Irishman who took a prisoner that would not let him go! And we suspect, he will find us to be a prisoner of that sort.—*Englishman*,

INDIAN MONEY MARKET.

It being known that the despatch received this week from the Court of Directors was upon financial subjects, intense anxiety has prevailed among the merchants to ascertain the nature of the Court's orders relative to the remittance demands of the ensuing year and the mode in which they are to be provided for. We have heard that there is no advice list of fresh bills drawn upon this Treasury. Hence an inference that the Company have suspended their negociations in England for the present, which is not at all surprising after the issue of drafts upon India to the extent of a million and a half within a few months. The Chamber of Commerce have not yet got an answer to their application on the subject of advances, and pending the decision of Government upon this point, the commerce of the place paralized. Indeed for many years we have not witnessed so great a pressure as now exists in the money market here, and this in the midst of great commercial prosperity. The causes of it are various;—the absorption of fifty lakhs more than last year in the value of the indigo crop, a state of things which enriches the planter, but lessens the amount of mercantile capital available for other branches of trade; the absorption of all the bazar capital in opium to an extent of full a crore of rupees beyond the sum absorbed

ed in the same article a year ago, taking into account the great arrear of remittances for opium of last season unrealized in China, as well as the entire absence of remittances for shipments of the present year, and the increased amount of the sales in Calcutta, which already embrace a capital of nearly 190 lakhs, with 5,000 chests still unsold; the long stagnation of opium business in China, and the ticklish state of the trade now; the disturbed state of trade in general in China, owing partly to excessive speculations, in Tea last year, partly to disputes with the Tea merchants and others, partly to the failure of one of the principal Hong merchants and partly to the sudden and unexpected suspension of the Company's advances; the employment of all available mercantile capital in Calcutta during many months past in shipments of silk and sugar and other articles, tempted by the high prices in England; and now the impossibility of negociating Bills to any extent against those shipments. We believe there are several houses that have many lakhs of rupees thus locked up in England and China, which they cannot under present circumstances expect to get back into their own coffers for a long time to come. In that respect their position is the very reverse of the condition under which the late Agency houses on several occasions applied to Government for assistance. The latter were then deeply indebted to their corresponding houses abroad, the former are in distress from an opposite cause.

There are two ways in which the Money Market might be relieved,—by re-opening the treasury to advances against goods, or by paying off another portion of the Loans. The former would be a direct aid to commerce to the whole extent of the sum paid out, and more immediately to the present holders of indigo and other goods destined for the English market; the latter would but partially assist the merchants by rendering money more abundant in Calcutta, for it does not follow that he who received cash for his Company's paper would immediately lend it to a merchant or lend it at all—he might keep it for months, waiting for an opportunity of some favorable permanent investments. That one or other of these alternative modes of relief however will be afforded, and that without delay, we hope there is no reason to doubt. The unexpectedly large amount of the opium sales this year must have given the Treasury the means of throwing a crore of rupees into the market in the one way or the other; in fact, it will be but a restoration of what the Treasury has taken out of it in less than three months, thereby in a very great measure creating the very scarcity now felt so severely.—*Cal. Cour. April* 8.

In an article on the state of our money-market, which appeared in the *Courier* on Saturday, and which we have extracted, it seems to us our cotemporary has drawn a rather exaggerated picture [we use the phrase in all courtesy] of the extent of the pressure, and has not been very fortunate in his explanation of the causes. We cannot understand how an increase of 50 lakhs of rupees in the sale value of indigo, can benefit the Planter, without benefitting the Agent; for we believe, in nine cases out of ten, the latter is considerably in advance to the former, and in the excepted case, the probability is that the Agent holds the proceeds of the past season to meet the expenditure of the current.

By what process, therefore, our cotemporary arrives at the conclusion, that an admitted surplus profit of 50 lakhs of rupees on one branch of trade "lessens the amount of commercial capital available for others," we are unable to guess.

It would have sorely puzzled us to prove, that it did not "add"; for, assuming even that the indigo had been generally shipped on account of the Planter, a large proportion of its value would have been realised by the sale of bills passed against the shipment.

As regards the absorption of bazar capital in opium purchases, we much doubt whether that can be strictly called an abstraction from the resources usually within the reach of the European trading community. Uninvested in opium, it would have quietly reposed in Company's paper; although partially, we admit, an indirect influence may be exercised by the Bank of Bengal, making loans, secured by deposit, to opium speculators; and, "*pro tanto*," limiting its power of general accommodation.

It may be true, that disappointment has been felt at the non-receipt of remittances for the opium purchased at the January sale; but at the same time we incline to the opinion, that the parties who in the face of the accounts from China, ventured to give the prices they did, are not exactly in a position to claim the consideration of Government, unless indeed it be openly avowed, that the Government as sellers, have a direct interest in encouraging over speculation.

We scarcely think, too, that our cotemporary is warranted in attributing so great a want of foresight to our merchants as to assume that "all the available capital in Calcutta has been employed for many months past in shipments of silk and sugar" and other articles, unless the alternative of a reliance on the Treasury, for subsequent and necessary wants, is intended to be suggested; and with the large funds-seeking remittance, arising from the devidends on the estates of the insolvent firms and from private channels for family purposes, we cannot agree in the allegation that the negotiation of bills has been or is attended with such extreme difficulty.

The remedies which are recommended by our cotemporary, to meet the state of things which he supposes to exist, are

1st, re-opening the Treasury for advances on produce, and

2ndly, the discharge of another portion of the Government loans.

The former is the mode which finds most favor with him, but we confess, we view with some alarm this constant dependency on the Revenues of Government, to carry on commercial operations. It appears to us to all intents and purposes, a renewal of all the evils, which it was the great object of the British Legislature, in 1833 34 to destroy, and which the opening of the Leaden-hall Treasury to *bonâ fidé* Commercial capital, was yearly carrying into effect. Our cotemporary, however, has been so recently engaged in a controversy on this subject with his namesake at Bombay, that we shall merely repeat, that whatever temporary relief is furnished by this system, it is pregnant with ultimate consequences most injurious to the steady progress of Commercial prosperity.

We by no means intend to convey any disapprobation of a Government coming forward, under circumstances beyond control, and against all reasonable calculation, to extend its powerful aid; but we deprecate a perpetually recurring application on slight disturbances in the money market

The letter of the Chamber of Commerce, we understand, is not intended to intimate any desire to receive advances from the Treasury: but simply to ascertain whether the Government intend to make any at all; it being of course very desirable to all parties to have some certain information on the subject.

But we cannot conclude our observations on this matter, without expressing our surprize, if the fact be so, at the Bank of Bengal holding above 40 lakhs of rupees in Company's paper, at a time when money is in demand. The mercantile Directors can scarcely expect the Government to make advances, if this Bank, the proper source of assistance, thus locks up its funds.—*Hurkaru, April* 10.

In discussing on Saturday the causes of the scarcity of money now so much felt in Calcutta, we mentioned as one of them, "the absorption of fifty lakhs more than last year in the value of the indigo crop, a state of things which enriches the planter, but lessens the amount of mercantile capital available for other branches of trade." The expression was incorrect, and has therefore been a mark for the *Hurkaru*, whose comments upon our article we insert below. The absorption of these fifty lakhs in the purchase of indigo could in itself be no cause of distress in the money market, since for the most part it would be but a transfer from one class of merchants, the buyers of indigo, to another class of merchants, the agents for the planters (and for themselves as joint proprietory in many instances.) Supposing therefore the whole of the crop to have been sold in Calcutta, the proceeds ought to have added 50 lakhs to the available capital more than the indigo proceeds of last year; and though these 50 lakhs being taken from a limited source of supply, namely, the proceeds of European goods, or credits or bills upon Calcutta, or bills sent here for sale, or the Company's advances, or private remittance funds, would to the same extent reduce the capital available for sugar, silk, saltpetre and cotton, &c., &c., still it does not appear there would be any actual abstraction of money because it happened to be laid out in indigo rather than in cotton, or silk, or sugar, or saltpetre; while at the same time it is quite clear that the Indigo Planter and those who support him are enriched by the prosperity of this particular branch of agriculture. But what follows? The Planter, become independent by his altered position in his agent's books, uses his own money, or makes his last year's success a plea to induce the agent to support him, in extending his cultivation, or in the purchase of other factories from parties who may allow part of the price to remain in the same hands for a time, but may choose to invest the rest in a subscription to the loan, or in building houses, or in joint stock warehouses, steam tugs, or cotton screws, or in factories of silk or sugar, or in purchasing these or other goods in the Aurungs, which last employment, though but a *temporary* abstraction of the money from Calcutta, would have the same effect for the time as the more permanent ones we have previously named. In short, the agent is practically made or induced to disgorge the surplus he had reckoned upon, and his coffers are emptied while his business becomes enlarged. In further illustration of the compatibility of great prosperity and increased resources with the *facilis descencus* of an ebbing treasury, we will suppose the case of a house having a very extensive indigo constituency, and therefore, in November last, fairly expecting to realize a surplus of fifteen or twenty lakhs by their indigo sales beyond the amount of their advances for the manufacture. As the market opened, there seemed no doubt of this—it would therefore be within the bounds of prudence to ship through the Company the first parcels that arrived, while there was opportunity of doing so, which of course would lock up one-third of the amount, the Company only advancing two-thirds. We will now suppose that sales proceed gradually with the rest as it comes to market; but the stoppage of the Company's advances, the eagerness of speculation in other lines, and finally a stagnation in the indigo market produced by the accounts of the financial pressure in England and its immediate effect upon the home prices, leave the house perhaps at the end of the shipping season with many thousand maunds on hand, having in the mean time made all its arrangements for the support of its indigo and other constituents on a footing proportioned to their improved position. Here then is the case of prosperity and pecuniary want combined. The very party supposed in the abstract to be most enriched, the Indigo agent, may in point

of fact be the most in need—rich in goods and in good securities, and a large creditor in his accounts with his correspondents in London and Canton, but poor in his own money chest, and unable to negociate to any extent upon either London or China against the funds there locked up,—upon London, because there is still an active spirit of speculation alive in some branches of trade, offering bills at 2s. 1½d backed with consignments to those who have money to lend; upon China, for a like reason, and because in the present state of things few people would feel disposed to make remittances to England through Canton, or to send funds to China for speculative purchases of teas or other goods.

Hence it may very well happen that those very firms who have had the most thriving business and whose resources in value have most increased during the past year, may in fact be the most pressed at the present moment But supposing that some indigo agents have both realized their indigo and husbanded their resources, they most assuredly have not kept their money idle, or been content to invest it in Company's paper. Merchants do not act in this way: no, they have avoided pecuniary embarrassment perhaps and want no aid from Government in any shape, but they have not failed to give employment to their capital in some of the tempting ways that have been inviting it for many months past. Our brother of the *Hurkaru* cannot believe the merchants have been guilty of "so great a want of foresight" as to have employed all their available capital for many months past in shipments of silk and sugar, &c. What if they did so employ it? There was no want of foresight in this He that had funds is surely not to be charged with imprudence because he did not foresee that his neighbor on one side might be disappointed of remittances from China in the usual course, or his neighbor on the other would fail to realize all his indigo of the year: nor are these to be taxed with imprudence in calculating upon remittances and facilities of sales and bill negociations by the rule of their past experience. Their disappointments have been owing to events of an extraordinary nature,—as much beyond their controul and calculation, as a very long course of easterly winds by which the homeward bound shipping may be thrown into distress in the chops of the British Channel; and we really do not see why the mercantile interests should not be entitled to consideration under such circumstances, as much as the crews and passengers reduced to short allowance at sea, for whose comfort the British Government has lately provided that Steamers shall go out with supplies. But let it be understood that we are not advocating direct aid in the shape of loans: we insist only upon the propriety of doing something to relieve the market generally, and we think we have the more reason to do so because the Government itself has largely contributed to produce the pressure by suspending the advance system when it had become a resource relied upon as a permanent one, and has profited too most largely by another, and perhaps the principal cause of the pressure, the high prices lately paid for opium at the public sales. The *Hurkaru* doubts if the absorption of such an enormous sum in opium be any abstraction at all "from the resources usually within the reach of the European trading community," because "uninvested in opium it would have quietly reposed in Company's paper." This is true to some extent, but it is also true as our contemporary himself observes, that a large sum has been absorbed by taking up loans at the Bank to make the opium deposits, and that even the increased means of the Bank has inconveniently cramped thereby. The *Hurkaru* would have the Bank sell out its own Company's paper to meet the extended demand for accommodation. It is reasonable to suppose the Bank Directors would desire to do so, but one of the inconveniences of that mode of investing its funds is, that the time when the money is wanted is always that in which there is least demand for Company's paper. To force it upon the market would of course occasion a loss upon the prices at which we presume it to have been purchased.

There is one cause of pressure in the money market of Calcutta, which we omitted to mention among the objects that have tempted private speculation of late. The Company's silk factories have for the most part passed into private hands. Now, it will be remembered that the British legislature, when it put an end to the Company's trade, made a special exception of their silk factories, allowing them to be carried on until private capitalists could be found willing and able to supply the place of the Company in feeding the home market. The experiment is now making and it is in its first year. Unexpected circumstances have narrowed the means of those who have undertaken the provision, and it is therefore quite consistent with the intentions of the British legislature that the local Government should step forward in aid of the undertaking by advances against silk, even an exception if they cannot be given generally, because the alternative contemplated by the British legislature was that the silk should be made altogether with the Company's money and shipped to England as part of their annual remittance. —*Cal. Cour. April* 10.

We have heard much lately about the scarcity of money, we have ourselves talked much of the evils of *over*-trading; we have heard of *bladders*, *bunds*, and Company's advances; and we publish an extract from a great authority on the subject of the scarcity of money; and the producing causes over-trading, leaving it to the sagacity of our political economical friends to recognise the master hand which penned the extract:—

No complaint, however, is more common than that of a scarcity of money. Money, like wine, must always be scarce with those who have neither wherewithal to buy it, nor credit to borrow it. Those who have either, will seldom be in want either of the y or of the wine, which they have occasion for. The complaint, however of the scarcity of money is not always confined to in-

provident spendthrifts. It is sometimes general through a whole mercantile town and the country in its neighbourhood. Over-trading is the common cause of it. Sober men, whose projects have been disproportioned to their capitals, are as likely to have neither wherewithal to buy money, nor credit to borrow it, as prodigals whose expense has been disproportioned to their revenue. Before their projects can be brought to bear, their stock is gone, and their credit with it. They run about everywhere to borrow money, and every body tells them that they have none to lend. Even such general complaints of the scarcity of money do not always prove that the usual number of gold and silver piece are not circulating in the country, but that many people want thoses pieces who have nothing to give for them. When the profits of trade happen to be greater than ordinary, over-trading becomes general error both among great and small dealers * They do not always send more money abroad than usual, but they buy upon credit, both at home and abroad, an unusual quantity of goods, which they send to some distant market, in hopes that the returns will come in before the demand for payment. The demand comes before the returns, and they have nothing at hand with which they can either purchase money or give solid security for borrowing. It is not any scarcity of gold and silver, but the difficulty which such people find in borrowing, and which their creditors find in getting payment, that occasions the general complaint of the scarcity of money.—*Hurkaru May* 17.

To the Editor of the Bengal Hurkaru.

Dear Sir,—I see you have been noticing, the papers printed for the use of the Proprietors of the Bank of Bengal, I hope therefore you will not object to a letter on the subject. It is one, which interests, not only the proprietors of the Bank, but also the entire commercial community of Bengal, Native as well as European. I wish to offer my reasons for considering, that it will be better for the interests of all parties concerned, that the Bank of Bengal should continue its operations as heretofore, and not seek for extension beyond the increase in its business which the trade of the country is sure to require, and which I anticipate, will be found for years to come sufficient to employ its capital by the ordinary Banking operations which it carries on in Calcutta, and which afford accommodation to the Trade of this country in the simplest and cheapest way for the merchant and the securest for the interest of the proprietors. A temporary abundance of money at the close of last year, arising solely from the state of the money market in England, led to a considerable surplus accumulating in the Bank of Bengal, and the natural consequence was an anxiety on the part of the Directors, to discover some new sources of profitable employment, for this large sum; but in the midst of these considerations, how to rid themselves of this Plethora, they suddenly find, as they themselves state in *their* preface—(" as sure as night follows day will the reaction take place after a money plethora when the need for Banking accommodation becomes *correspondingly urgent*") that the wants of trade have relieved them of their inconvenient surplus, and they have full employment for their entire capital, without passing their own doorway, seeking business. Following the metaphor of the preface. I say, after many years experience of the Calcutta money market, that the *nights* of scarcity of money are so much longer than the *days* of plenty, that the Directors need not trouble themselues about the latter: the trifling loss of interest of the Bank, by having a surplus unemployed in days of plenty which now so seldom occur, will always be made up by the increased profit which will accrue to the Bank, when the reaction takes place, indeed I may fairly consider the remarks in page XIII. of the preface, as meant to be applicable to the present position of the Bank. A very large amount of Government securities were purchased (when the Bank had a large surplus and a plethora of money existed,) necessarily at a very high price: the reaction takes place and the Bank finds itself now encumbered with this stock which it cannot get rid of without a heavy loss during the season of pressure. The conclusion to be drawn from this is, that had the Bank kept its cash balance uninvested, it would now be free to extend its accommodation largely to the public, and make an increase rate of interest on the fund now locked up in Government securities, which would soon repay the Bank for the loss at the rate of 4 per cent per annum, while their funds remained idle, and the Bank would not be subject to the risk still impending, of being obliged to put itself in funds, by the sale of its Government securities at a loss on the purchase price, which may eat up all, or a greater part of the interest accruing on the stock while in its possession. In making these and the following remarks on some of the questions treated of in these papers, I am not pretending to greater wisdom than the Directors, by shewing what they ought to have done in a time of plenty, now that the change has taken place, and we see the effects of it; I should probably have acted precisely as the Directors have done, and thought it better to invest the surplus of the Bank in Government paper rather than let it remain unproductive; what I am desirous of doing is this, to endeavour to shew that the Bank of Bengal has hitherto done well, both for its proprietors and the public, and to urge on the former to be satisfied with what they have found by experience, to be a safe and profitable investment for their money, and not endanger their property by the acceptance of a new Charter, which gives a power of engaging in transactions hitherto unknown to the Bank of Bengal, and which might, in the day of plenty, enable sanguine men in the Direction to scatter its funds over the world under an idea, that they were to increase the profits of the establishments by an extension of business, leaving the Bank when the reaction takes place, which the Direction justly remark follows a plethora of money as surely as night follows day, denuded of its funds, unable to support commercial credit, obliged to draw on its resources at the very time it has hitherto been prepared to extend its operations, and finally for the sake of putting

* For an account of the circumstances which occasion over-trading see the note on commercial Revulsions in the last volume.

itself into funds either transfering its distant speculations at an immense loss, or becoming dependant on the Treasury for a replenishment of its coffers. The proprietors of the Bank of Bengal will act wisely for their own interests, by refusing the extended powers offered to them by Government—they will act wisely in declining to receive and delegate to their Directors a power which will enable them, if turned from the cautious path in times of plenty (and who is not!) to place the funds of the Bank far beyond their reach; a power which will alter the character of the Bank of Bengal from a supporter and fosterer of the Merchant, to a direct competitor in one of the most important items of his commercial business, and which will break through that strict line which divides so distinctly the busines of the banker and merchant and which the Bank of Bengal greatly to its own profit, has hitherto preserved.

It is unnecessary to argue that the Bank of Bengal has been a very profitable concern to the proprietors. I know of no investment of money which for the last 30 years has yielded so high an average of annual profit; that profit has arisen and been insured by the wise and cautious regulations which have hitherto controuled the operations of the Bank. Will it be a wise act of the proprietors to peril this profit? and they will surely do so by accepting this new act, unless they can find men for Directors, whose views remain unaltered and uninfluenced by the circumstances of the moment when they are called to act. I say, without fear of contradiction, that the present Directors of the Bank of Bengal, are as capable as any equal number of men which the proprietors could select for the careful management of their concerns; still the most cursory perusal of these papers, shows, how differently the same men are disposed to view the same question at different periods under altered circumstances. If the act which is now proposed had become Law on the 1st May 1836, is there a doubt, but that a very large sum belonging to the Bank of Bengal would have been at this moment on its way to England from the purchase of bills of exchange? what say the same directors now, to the wisdom of seeking for new sources of profit for a Bank in times of plenty?

"At times a Bank will find its coffers full to repletion, with no demand on the part of any one for discounts or other banking accommodation; at such times those who are concerned in the management of Banks are tempted to make permanent investments of their funds, or to try less certain speculations than ordinarily, and to reduce the rates of other business, bidding first against competitors on terms scarcely covering its risks and indeed greatly increasing those risks by the inducement to speculation afforded by facility of obtaining funds.

"To this they are moved by the idea that any thing is better than to allow the funds of their Bank to lie wholly unemployed yielding no profit, and affording no dividend;" and they sum up their opinions by the following strong and wise reprobation of this seeking after new business in a moment of plenty." Nothing, however, is so delusive as the schemes and speculations of such periods, and the losses and failures of Banks are mostly traceable to their consequences. As sure as night follows day, will the reaction take place after a money plethora when the need for banking accommodation becomes correspondingly urgent! and if yielding to the temptations of other times a Bank has embarked in *distant* and doubtful speculations, or has parted with its capital and means by multiplying branch establishments, all subject to the same pressure, or has sunk too much in permanent investments, not *promptly* realizable at the moment of want, such a Bank will assuredly lose the opportunity of the most advantageous employment of which its capital and means are susceptable, and it will be well if it suffer only the disappointment and regret of a lost opportunity, and do not further experience embarassment and sacrifice of capital."

I recommend this passage to the serious consideration of the proprietors of the Bank of Bengal, as affording from the mouths of their Directors the strongest evidence in favor of my advice, that they should not accept this new act, nor allow the character of their establishment to be changed by adopting the dangerous combination of commercial transactions, with their hitherto safe and profitable Banking business. The Bank of Bengal has been on the very brink of this precipice, and has been saved, not by the prudence of the proprietors or their Directors, but by the charter which confined them within prudent limits;—but let the Directors speak for themselves:—"During the whole of the past year, the Directors had before them the dread of reduced profits from the want of full employment for the funds of the Bank. They participated with the proprietors the desire of finding new lines of business and new methods of drawing benefit from the employment of superfluous funds. To the ordinary difficulty of the time in this respect was added that of a considerable augmentation of capital without any change of circumstances affording the prospect of its beneficial employment. But while all the parties were occupied in devising schemes for turning these funds to account, in a few short months, the aspect of things so completely changed as to make it apparent that even with the augmented capital, the means of the Bank of Bengal were likely to prove insufficient to supply all the banking accommodation required by the community of the presidency alone. This is the case at the present moment—the Bank of Bengal is now realizing banking profits at high rates upon a much larger sum than was ever similarly employed."

It may be argued, indeed, that the present great scarcity of money, is not likely to last, that a reaction will soon take place, and the Bank again find itself embarrassed by a plethora of money. I confess that I have the advantage of offering these remarks at a moment very favourable for my purpose, still I am satisfied that for many years to come, the

commercial community will require constant and annually increasing accommodation from the Bank of Bengal, provided the directors follow their present intentions of advancing money more liberally on private discount, and the merchant *can rely on* the Bank, for fair and reasonable support with reference to the extent of his business. It is evident that the commercial directors whose opinions are given, differ as to the degrees of accommodation required from the Bank, but these opinions offered at a time of great abundance of money are likely to have been influenced materially at the moment, as I have shown how much they have changed their views in the preface prefixed to the papers, still there is to be gathered from them an expectation that the increase of our Trade will require extended means, and different opinions are expressed from whence it is to be forthcoming. One commercial director says, "so far as regards the discount business of that city (Calcutta) no extension of capital is necessary;" another says, "there can be no doubt that the operations of the Bank of Bengal are of too cramped a nature for a great commercial community like Calcutta;" a third says "a more independent *commercial* management, might conduct the Bank to a *more extended* and perhaps to safer accommodation business than it has at present;" a fourth says, "no doubt an addition of capital would be advantageous to the country, *if gradually introduced, arising from the profits of trade.*" When men, so well conversant with the subject come to so opposite a conclusion, it will not, I hope, be thought presumptuous in me differing from any of them. I conceive that the opinion that the Bank of Bengal has always fully met the wants of the Commercial community in discounting, arises from mistaking the want of application for discounts, to the want of need; until very lately there have been invariably such difficulties made to passing private discounts that the merchant sought accommodation elsewhere at any sacrifice rather than subject his paper to the discredit of being rejected by the veto of the President, without a commercial director, having a voice in the question. Let the directors look at the ridiculously trifling average amount of private discounts in the Bank until a more liberal system was introduced, with the increase which has taken place under this new system, and I think they will find my remarks borne out. It may be contended that an increase of private discounts, will increase the risk of the Bank in a greater ratio than the profit. The operations of the Union Bank entirely disprove this: with scarcely any business but *private discounts*, it has passed through times of the greatest commercial distress with credit to itself and profit to its proprietors. The Bank of Bengal takes credit to itself, for its present liberality in discounting private paper to about the same extent as the Union Bank. This is certainly an improvement on its former mode of doing discount business, but it falls far short of what it might do. Let the Directors judge of what business they may do in discounting, by comparing the amount which the Bank of England would advance on commercial paper representing the Trade of Bengal, or an equal quantity of the Trade of England, and I think they will be surprised at the immense disparity between the discounts of the two Banks. I count little on the capital arising from the profits of trade which one of the Directors expects will meet the increasing wants of commerce here: as long as the Trade of India remains in the hands of Europeans, who retire to their own countries and almost always take away their fortunes with them, no accumulation of profit for the purposes of trade will remain fixed in the country. Have the Proprietors of the Bank of Bengal any reason for expecting a continuance of such supplies of money as were sent out for commercial purposes last year? Is there the least probability of the treasury on any day next August having to pay 80 lakhs of rupees of bills applicable to commercial purposes? Will the purchasers of teas and silks in China, and of our produce here yield such profits as to induce the same parties to speculate again to the same extent? This is yet to be known. I think the chances are against it. I see no cause for expecting from England more than an annual sum fluctuating in amount, according to the value of money in London, once perhaps in every ten years, we shall have more than we require when the low value of money and the days of speculation exist as they did in 1824 and 1836. But, generally speaking this will not be the case. To me it appears, that so far from the Bank of Bengal requiring to go abroad for an increase of business, it will find abundant occupation for all it capital, if the Directors follow up their present intention of increasing liberally the accommodation and that, not merely for the present moment but for years to come. I therefore deprecate the power which the new act gives them of assuming when they please a commercial character. It is unnecessary, because they have had hitherto, and will continue to realize, handsome and steady profits from Banking alone. I recommend the proprietors not to accept so dangerous a gift, but to be satisfied to carry on the Banking business as hitherto with the support and good will of the commercial community--Live and let live, being the motto of,

Dear sir, Your Obedient servant,

A MERCHANT.

15*th May*, 1837. —— [*Ibid.*

The *Hurkaru* put forth yesterday as amusing a piece of *niaiserie* as we have for some time seen even in the columns of that journal. He quotes a passage from the 4th book of Adam Smith, and no doubt thinking it as new to his "politico-*economical friends*," as it is to himself, leaves it to their sagacity to find out the author. Why every young lady who has read Mrs. Marcet's conversations could have told him all about it. We should not have thought his riddle worth reading, but as he begins it as alluding to the Company's advances, &c., we suppose that he thinks that it contains a sufficient answer to all that has been replied to him on that subject. This comes of turning up an author

for the nonce, without comprehending his spirit. A political economist is not to be made by cramming passages out of Adam Smith. It is truly ludicrous when the serious affairs of whole classes of men are under discussion, and the Government called upon publicly to protect their interests, or arraigned for interference with them, to find a journalist who has long put himself forward as "the best public instructor" on these matters, conning abstract doctrines by the yard and dealing them out in great swarths, as if they really bore upon the point at issue between us. Adam Smith says truly enough that if men send their capital abroad they will not find it at home, and if they buy upon *tick* the day of payment will come perhaps when least agreeable. What all this has to do with the Company's remittances is not, however, quite so clear. People who have got goods to give as security to the amount of one half more than the bills they offer for sale, cannot be considered as buyers upon credit, nor as gambling traders who have sent their capitals to distant markets They are only looking for the ordinary faci trade which in common times would be granted to them without any security on their credit alone by the dealers in money. If therefore, in a time when a scarcity of money is felt, not from their own carelessness, but from the vast transactions of the commercial metropolis of the world, if in such a time the merchants are not clamorous for loans, but merely enquiring how far the financial operations of Government are likely to affect their own transactions, it does, in our opinion, point to a very sound and healthy state of commerce in this place.

We are glad, nevertheless, to see that the *Hurkaru* has commenced the study of Adam Smith,—it will be a good preparation for his promised lucubrations on the permanent settlement, in aid of which we would also recommend to his notice both Malthus and Ricardo. When he has thoroughly digested the three, he may perhaps be in a fitter state for meddling with the subject than he is at present, unless some of his former "political economical friends" will come to his assistance.—*Englishman, May* 18.

We really had no intention to put the *Englishman* into such a towering passion by the publication of an extract from Adam Smith: our motive was to assist and not to annoy him. We thought the passage in question a very apt illustration of his *bladders* and *bunds* doctrines; but had we imagined he would have taken it so much to heart, we had seen the Doctor at Jericho ere we had published him. We do pray of the choleric gentleman in the *Englishman* (one of the little, wanton bladder-boys we suppose) to aggravate his choler, and to tell us at his leisure what he means by conning and dealing out abstract doctrines by the *yard in great swarths*! We have heard of a screed of doctrine, and we know what swarthy means, but of swarths we are at present ignorant. As to the man's grandsire talk of the serious affairs of whole classes of men being under discussion, and the absurdity of conning abstruse doctrines by the yard and dealing them out in great *swarths*, and as a final horror, printing a passage from Adam Smith for the benefit of our choleric cotemporary, why we must, we suppose, plead guilty to the latter part of the charge, and remain in blissful ignorance and indifference to the former portion of it, until our cotemporary is pleased to let us know what it means, and what is the precise nature of the crime we have committed. In the mean time it would be as well if the *Englishman* did not admit into his paper such correspondents as A MERCHANT; this worthy abuses us, misrepresents the small scintilla of our argument, which he alludes to, says that we are beaten at all points, and concludes with an extract from an annonymous paper, by way of an authority, wherewith to clench our discomfiture! Now all this hath a very spurious look, and people say that the letter is the work of poor dear Scaramouch himself, who being unable to enter into or comprehend the controversy, takes this sort of method *quoe suo* of proclaiming the victory of his scribblers. This is "a weak invention of the enemy and shews want of tact. He should recollect that in these sort of discussions, those who understand any thing of the question judge for themselves, have their own standard for appreciating the mode in which the argument is conducted on either side, and they at once see through the trick or the ignorant partiality of such a toadying affair as the letter of A MERCHANT, supposing it genuine; while to those who take no interest in the discussion, this sort of bulletin of victory is a matter of indifference, or elicits at most the observation of—"Well, Stocky has wopp'd the *Hurkaru* this time it appears. Who writes for him now? What the deuce is it all about? Come, let's go to the and take a cigar, and send down for Stocky and make him tell us all about it, and which of the sowdagers it is that blows his trumpet." This we take to be all that *results* from the puff direct contained in the letter of A MERCHANT—what sort of merchant we wonder—a merchant of bears or of *bladders*?—*Hurkaru, May* 19.

THE HINDU.

No. 9.

The frivolous distinctions which the different members of a Hindu family observe towards each other, from a spirit of persevering in their ancestorial absurdities and mistaken ideas of decorum and modesty, are not only indicative of an uncouthness of manners and want of enlightened principles, but are calculated to prevent the developement of their social virtues and degrade the condition of the fair sex. The men and women never dine together. A young husband is thus

deprived of the pleasure of eating with his wife, nor can he have any conversation with her before her parents, brothers, sisters, uncles, aunts or other relations. The girls of every family always remain veiled. A father-in-law can never see his daughter-in law except at the time of her marriage. An elder brother is forbidden to visit or hold any conference with the wife of his younger brother, and should he by any accident be so much in contact with her as to tread upon *her shadow*, it would be considered an unholy affair, the expiation of which being his bathing with the Ganges water. A husband and a wife can exchange their vows of friendship and love (*if they have any*) only at nights when they are apt to crack vulgar jokes and speak upon incidental subjects, never caring much to shew towards each other any tokens of good feeling or conjugal affection. When a young girl is at her father's, she is always advised by her mother, aunts, and grandaunts, to conduct herself properly at her father-in-law's, lest it might reflect shame or disgrace *upon them* for any instances of her immodesty, quarrelsomeness, obstinacy, loquacity, and haughtiness, which should never be allowed to form the component parts of a female character; and the instructions which she receives from them chiefly consist in covering her face with a long veil—in never speaking with her parents, brothers, and all the elderly relations of her husband—in never making her appearance before her father-in-law, uncle-in-law, and the elder brothers of her husband, in being submissive and obedient to her mother in law, and in performing kitchen services and other jobs of the family. The young girls are also taught to shun the company of their husbands during the day, and those that feel it very difficult to adhere to this rule are often thought immodest and shameless, the consequence of which is that every husband and wife, as long as they are not sufficiently advanced in age, converse with each other in silence and secrecy.

In regard to eating, a wife is put to blushes, or becomes vexed, if the husband asks her any questions as to her meal. The only things that she can chew before him is betel and spices. To smack the lips or lick the chops before men is considered by Hindu women exceedingly indecent, and derogatory from the virtues of a female.

Such practices and notions as these are utterly subversive of the growth of conviviality among the Hindoos, and are conducive to no other than but that of preventing the refinement of their manners, the cultivation of their moral and intellectual energies, and the amelioration of the fair sex, that seem to occupy no part of their attention, though a bard of the present day exclaims in honor of them.

Without a sigh from partial beauty won,
Oh what were man a world without ?—a sun !

Dec. 21, 1836. —— *Englishman.*

No. 10.

The Hindu astrologers publish annually an almanac containing a mass of *mysterious* calculations illustrative of the auspiciousness and inauspiciousness of the different periods of the year, as also the influence of the seven planets on every individual in each month. The bigotted natives strictly act up to the dictates of this almanac, and any deviations from them are supposed to be attended with *dangerous* consequences. Whenever a baboo wishes to go to any distant place, either on a business of pilgrimage, or a visit to *saheb* of a high rank and title, accosting his haughtiness with the magic of *folded hands, low salams, fawning gesticulations* and *contemptuous expressions of adulation* from the motive of making *his hoozoor*, instrumental in the promotion of his own interest, he is sure to have recourse to some astrological calculation or the deep thought vaticinations of a gipsey. The Bramins are said to divine into futurity, and the rules which they have established relative to omens and prognostications for the guidance of mankind, have been followed by the Hindoos for a considerable time without the least degree of doubt, and are looked upon as indubitable truth based upon *inductive* principles. The rules themselves are so very absurd and ludicrous, that we think a *programme* of them is necessary for the information of European readers, and we will, therefore, make no apology for parading them in their natural attire.

We find that the movement of one of our eyes is sometimes more rapid than usual. Why such is the case, is a question which is beyond our comprehension to answer. The Bramins explain this visual phœnomenon by saying that whenever a man is to gain something, his right eye dances, but if he is to suffer any losses, he preceives a similar optical change in his left eye. The accidental fall of a drop of ink on *white clothes* is also a sure sign. The twinkling of a glow worm near a lamp surrounded by five or six persons, is a portentous circumstance, for should this little glimmering insect happen to fall into the fire and be burnt, some one of the group present during this tragical event must pay the debt of nature within a year. The sight and cooing of a dove are always unwelcome, and held in great detestation. The homely adage of the natives "*Tore vita tay ghoogoo «choroog*" (may doves feed at your house) has originated from this superstitious notion, and is used by the Brahmins as a curse upon such as fail to satisfy their greediness or give them any cause of offence.

When a rich Baboo prepares to go to a *durbar*, he watches with deep attention what passes around. The men of the house are at once prevented from exciting any tittilation in their olfactory nerves, or repeating his name after he has left the *boytuckhana*. The ticking call of *a lizard*, the sight of empty jars or *kolsees* at the gate, and a *single sneeze* from behind, are always considered mischievous prognostications at this time, while the baboo coloring looks aghast towards his *courtiers*, and tremblingly mutters the name of a god and of his spiritual tutor as he steps into his vehicle.

The appearance of a corpse and one or two *kolsees* full of water, added to the absence of the foregoing omens, are certainly the most auspicious and exhilirating circumstances

It is then that the face of the baboo reddens with a glow of rapture. It is then that he humbly puts on his head the dust of a Bramin's feet. It is then that he freely convulses his belly with a fit of giggling, and appears bold and cheerful both in aspect and conversation.

The hooting of owls, yells of dogs and cawing of crows are supposed to be pregnant with dreadful consequences, and the moment any of these noises is heard, the Hindu females especially, apprehensive of calamitous occurrences, cry out *dhoor! dhoor.**

The falling of a lizard on a person, from a high place, is rather a serious affair. If the lizard fall on the right side of a man, it is a good omen; if otherwise, bad. With regard to women the converse of this rule is true. Shaking legs constantly is productive of great evil. *Tamerlane* is said to have been afflicted with hardship and privations of poverty until he lost this habit. *God knows what will befal me as I am constantly shaking my legs while writing this!!*

Thursday evenings are an awful period of the week, and are the parent of strange and disastrous accidents. Deeply convinced of this truth, the Hindoos take every precaution not to place themselves at that time in any such circumstances as might conduce to painful consequences. Many of them also make no payments on that day, it being designated *Lukshmi*, or the day of *Lucke*, (goddess of fortune,) when money should always be hoarded in chests to please her gracious self with its jingling music, but never to be brought out or disturbed from the bags. Perhaps this custom is thought very judicious and salutary, and especially by those that are stingy and wish to evade payment of their debts.

If an individual with one eye shut on beholding only one star happen to see the face of another individual, a dispute is sure to raise between them some time or other, and the only remedy which persons in the latter predicament have got to avoid it, is, to utter the names of seven Bramins, seven different species of flowers, and seven tanks the moment they get themselves into this scrape.

A Hindoo lady would never be at ease if those that bow down to her take the dust off one of her legs, for if both legs be not touched at the same time, they are liable to be swelled to a tremendous magnitude, and be affected with a disease called *gode* (elephantiasis.)

A person going on a business and meeting with any physical impediment such as falling on a *chow kaut* or finding his *chaddur* obstructed in some way or other is instantly deterred from his purpose. He must come back, and sit again where he sat before, and then take courage to rise and move.

These fantastical and superstitious laws have been enacted for the welfare of the human species by the Bramins—that noble class of Hindoos, who pretend to be gifted with supernatural powers,—to possess stupendous learning and a genius that *can wander unconfined in the regions of futurity*, and for the glorious exploits that they have atchieved in the field of moral and intellectual *truth*, they are sure to be taken with their *beads, poothes* and *pottahs*.

> O'er the backside of the world far off,
> Into limbo large and broad, and called
> The paradise of fools, to few unknown
> Long after, now unpeopled and untrod.

—*Englishman.*

* Dhoor means "a way!" or "avaunt."

ZEMINDARIES IN BENGAL.

The permanent settlement of Lord Cornwallis has been universally considered as a blessing to the country; for it affords to the zemindar the means of improving his estates and his fortune, in as much as no increase of his income can entitle Government to demand from him a larger amount of revenue. Whilst this is an advantage to the zemindars under the permanent settlement, they are at the same time incapacitated from demanding any diminution of revenue in consequence of accidents which may disable them from realizing, from their estates, a sufficiency to pay the revenue. When this happens the estate is brought to the hammer and often sold off for a mere trifle. On such occasions the Government often becomes the purchaser and the estates are transferred to it on a nominal valuation of one rupee or some other inconsiderable sum. Thus the zemindar is deprived of his possessions and his estates come under what is termed the *khalk* management. Every inundation, every draught, the harassing effects of the resumption operations, rendered still more annoying by the zealous activity of the Special Deputy Collectors, and a variety of other causes, contribute to transfer the estates from the zemindars to the Government.

Those of the Mackenzian school of internal policy of India, are, it is well known, opposed to the principles of the permanent settlement on the ground that it has been injurious to the interests of Government, by preventing it from levying such revenues as the improvement of the estates might point out; and it is on this very account that the settlement of the upper provinces, though frequently promised, has not been concluded even to this day. The question is precisely between *khash* and *zemindary* management. We are of course for the latter, not only because we disapprove of the sovereign assuming the character of the subject in becoming a landholder on zemindary tenure, but also because we are convinced that the management of the details of an estate, on which the improvement of the country in general depends, is always better conducted and attended to by individuals interested in the work, than by the Officers of Government who have nothing to risk in the concern.

We have not time at present to enter into a comparative view of these two opposite systems of management; but whatever might be the advantage of the one, or the disadvantages of the other, it is clear from the facts before us, that in course of time the whole of

Bengal will come under *khash* management, by transfers on every occasion of such natural calamity as may disable the zemindar from meeting the demand of the Collector. These transfers are taking place every year, which sufficiently indicates the end to which matters will at last be brought. To appeal to facts we need not go beyond the 24-Purgunnahs by which we are immediately surrounded. The following is a statement of the zemindaries that have been sold in this district during the last year, and purchased on account of the Government.

Statement of the Purgunahs, &c. Sold by the Collector of the 24 Purgunahs during the year 1836, and purchased on account of Government.

Registered Number.	Names of Purgunahs and	Late Proprietor's Name.	Sudder Jamma. Rs.	G.	The date of Public Sale.		The amount for which they are sold. Rs.	As.	G
No. 411..	Mangoonah and Dhaun Khola, &c.	Hurreeprasand Bundopadyay.....	2,235		3d July	1334,	1	0	0
No. 333..	Mooragacha and Ramchunderpore, &c ..	Doorga Doss Chuttacharjee,.....	4,229		3d Dec.	1835,	201	0	0
No. 312..	Ditto. &c. Kismut Bensinga, &c ..	Rajchunder Roy.	1,318		30th Jan.	1836.	8,200		
No. 352..	Baulesh and Nyabagurah, &c	Essenchunder Chuttergee,.....	5,459		Ditto		4,700		0
No 278..	Medun Mulla, &c Kismut Geordubia, &c.	Suddanundo Roy.	107	11	Ditto		1		0
No. 151..	Bundhautty-Chuck Hanooreah, &c	Nilcomul Sircar,..	30,150	2	4th Feb.		15,100	0	0
No. 6..	Mangoonah and Kismut Ramnagei, &c	Ramkaunt Dutto,	2,348	9	,, Ditto		3,000	0	0
No. 63..	Ditto, and Bausdurieley, &c	Doorgaprasand Nyng, ...	3,66.		6th Feb.		100	0	0
No. 412..	Ditto, and Saulpookreah, &c...	Mudunmohun Dutto,..... ..	616		31st March		370	0	
No 1060..	Mylhautty and Altumpoore, &c..... .	Rameomar Roy,..	2,723	7	22d July			0	0
No. 435 .	Hauteahpoor and Aubadgobindpoore	Saun Soonder Ghose, ...	175	13 10	4th Feb.		100	0	
No. 310..	Mooragacha and Dibee poore, &c.... ..	Feluckchunder Roy	1,110	9	22d August		2,000	0	0
No. 422.	Hauteahpoor and Bansbarieah.....	Suddanundo Roy,.	201	0 2	6th October			0	0
No. 44..	Mooragacha and Sareah, &c	Goes Mahamud Zemadar, ...	765	10	5th Dec.		110		
No. 113..	Auzeemabad & Aulee ..	Sumboochunder Kachoondry,... .	5,531		9th April		1,100	0	
No. 111.	Mooragacha and Kamarpoole, &c	Ditto Dutto,	9,7		,, Ditto		3,500	0	0
No. 412..	Hauteahpoor and Aumid Noyacdey Silpore,	Goureykunker Bose,	1,309	10	29th August		1,700	0	
No. 1061..	Baboopoor and Kismut Baboopoor, &c.	Hurrichuder Poddar,.....	316		2d July	1823,	1	0	
No. 1062..	Ditto and Bauchahagee &c.....	Ramruttun Roy,..	476	13	,, Ditto		1	0	
Nos. 19..			82,57	3½			40,836	0	0

By this statement it will be seen that zemindaries paying revenue to the extent of 82,572-1-3½ rupees have been transferred to Government for only rupees 40,836 0 0. The proper average value of zemindaries is ten times the amount of the revenue, according to which rule the real value of the above zemindaries ought to have been (82,574-1-3½ × 10 =) 8,25,720 12-11-2 rupees; but instead of this sum, the Government has been enabled to get these zemindaries for only 40,836 rupees, which is less than one-twentieth of their real value. In this manner the zemindaries of the permanently settled provinces are, one after another, falling in the hands of Government, and, we verily believe, that in course of time, Government will become a great zemindar, and act in the capacity of both subject and sovereign, to the exclusion of all others from having any interest in the soil. Some time ago we pointed out the evils of ryotwary management, as it prevails in the Madras territories; we hope such evils are not to be our lot.

A far better course for the Government would be to deviate in particular cases from the strict letter of the settlement, and when it finds that unforeseen natural calamity has been the cause of failure on the part of the Zemindar in paying his revenue, to remit such portion of it as may enable him to recover from the shock, and resume his labors with renovated vigour and confidence in the paternal feelings displayed by Government towards him. Were the Government to shew such indulgences occasionally, the first good effect of it would be improvement in agriculture on which the commerce of India, at present, more than ever, depends; and 2ndly,

it would produce in the people a feeling of gratitude and affection towards Government than which nothing appears to us more necessary for the stability of the British Empire in India. But instead of adopting measures calculated to conciliate the feelings of the people, every thing is done to irritate them. The people appear to have no one to protect them for all appear to be interested in the resumption of their lands. The situation of the poor Lakhirajdars, as was remarked to us the other day by one of their class, has been compared to that of a lad who, at the period when human sacrifices used to be offered up, is represented in the shasters, as having been sold by his own father to a King for the purpose of being immolated on the alter. When about to be sacrificed he repeated the following verse.

পিতরৌ ধন ঃ লুব্ধেশ্চ রাজাখড়্গা ধর স্বয়ং ঃ দেবতা বলি মিচ্ছন্তি ঃ কোমে গাতা ভবিষ্যতিঃ

"My father is become avaricious for money, the King himself holds the axe in his hands, and God is desirous of receiving the sacrifice; who will now have mercy on me?

When such are the illustrations by which the situation of our Lakhirajdars is described the feelings of the people must surely be harrowed up to the last degree. The circumstance therefore requires the serious consideration of Government, which we trust will be given to this important question.—*Reformer June* 11.

SOME REMARKS ON THE PRINCIPALITY OF SIRDHANAH.

The Jagheer of Sirdhanah lapsed suddenly by the demise of the Begum Sombre, but it was ripe for the change. For the last three or four years a system of oppression was established which had nearly ruined the country, and another year would have read to the managers of the concern the moral of the fable of the goose which laid the golden eggs. To such a wretched state was the country reduced that it is supposed the revenue would not have been sufficient to have paid the Begum's expences. It is but justice to her memory to state, that the people seem perfectly aware, that for some years past she was kept in ignorance of what was going on, and the whole blame of the oppression of which they complain so loudly is laid upon her principal managers.

The purgunnahs reported upon from the Principality of Sirdhanah, have always been under the immediate management of the Begum and her Court, and till lately were flourishing and productive, being mostly inhabited by Jats well known to be the best cultivators and payers of revenue in India; their industry and superior husbandry enabling them to make a far more respectable appearance than any other class, although it must be regretted that they form under every government, a mark for a high assessment, which will be found to attend them in all situations, whether as regards markets, soil, or means of irrigation. The District may be considered the most valuable in the Doab, possessing as it does the advantages of the Canal, the Jumna, and Hindoun rivers, the Krishna and Kalee nuddees, together with smaller streams which might be turned to much better account for the purposes of irrigation.

It was at first a matter of surprise to find so much abandoned cultivations in the Purgunnah of Sirdhanah in the immediate vicinity of the Palace and Court of the Begum, but the same story of oppression under its very walls, repeated from village to village throughout the whole district, soon rendered one familiar with the means by which it had been brought about. Latterly the zumeendars were actually forced to plough, and the Begum's soldiers were employed in following the kisans in the fields to insist on their cultivating. It appears that no less than 18,848 acres of cultivation of the Sirdhanah Principality, under the eye of the proprietors, had been lately abandoned and the possessors driven out, as they state, by the most oppressive means. Immediately on the Government resuming the Jagheer they returned, and at this present time probably not a fourth part of this land remains unploughed, and fully cropped, together with considerable portions of the Jungle. Great tracts of lands had also been purposely thrown out of cultivation, the cultivators dispossessed without mercy, and the lands allowed to lie fallow for the purpose of producing grass for the cavalry; after a year or two, when these tracts produced too coarse a grass, they were given up, and fresh tracts resumed under similar circumstances of ruin to the unhappy possessors. Acts of tyranny of this nature took place close to Sirdhanah, and at a greater distance a vast extent of land was appropriated as the Begum's roond or preserve for chuppur grass and firewood.

The Maafee land was all resumed some years ago; but it created no general bad feeling against the Begum, and the circumstance at this day is seldom alluded to: but it was managed with tact, and none were dispossessed although called upon to pay revenue. The smaller maafeedars derive but little profit from their land, unless they happen to possess power to support their claims. The great hue and cry lately about Maafee in the Company's possessions, has been raised principally by the Amla, who are general proprietors, and have been great purchasers of this property owing to their connection with the Courts. The Government have here before them a highly populated country with not a beegha of Maafee in it as an example to go upon. It is hoped the *ashrof*, as they are called, will be driven from their *lazy beds* all over the country; it will be much better for them in the end;

for it is distressing to see three or four strapping young gentlemen *ashrof*, in long fine muslin sleeves, dividing a few maunds of grain the produce of their *ket*, which by and by, as the generation of descendants increases, will not give a handful to each sharer.

It should be recorded that the ryuts of the principality of Sirdhanah received the British Government with acclamations of joy. Surrounded on all sides by a country which has been under our rule for the last thirty years, they must know the working of the system and be able to appreciate the value of the two Governments. To account for a different feeling in our provinces which occasionally finds expression out of the immediate vicinity of our Courts, it can only be put to the score, that people do not know when they are well off, and experience bought by suffering is instruction. Our own subjects have forgotten the forays of the Muhrattas, Sikhs, and Banditi under every leader that could raise a horde, under which their progenitors suffered; at the same time it is to be hoped that the zumeendars of Sirdhanah have not over-rated the advantages of the change of Masters; they are not yet head and ears in debt, their property is entire and has not been alienated by Regulation, and their lands are not yet irredeemably mortgaged to bunneas and soucars. How long they may remain an exception to the rest of our territories is to be seen.

A very bad practice attending the British Government has already been introduced into the District, and which cannot be too much reprobated, that of sending out the public cattle for charra. The surwans and muhouts under protection of sepahee guards, commit the greatest devastation on the finest trees, and often realize money in cutting or protecting, at their pleasure, trees held in veneration by the Natives or useful as shade in the hot weather. It is strange that an enlightened Government should have recourse to such an objectionable method of providing for their cattle, and which in the end must be more ruinous than profitable, as appears from the miserable condition of the cattle in general, although so much wanton destruction is perpetrated for their subsistence. It is a plunder too of the worst description, leaving an eye-sore that will remain for years in every corner; besides, complaint is made of the young cotton having been injured by the camels. What a lesson is read in the strict preserve of trees and pasture on the banks of the canal, public property, where, if a kisan's bullock unfortunately strays, fines and damages are immediately imposed, while the Honorable Company's cattle range at liberty, and destroy at pleasure the property of the people under escort of regular troops of the line!

With the exception of the road from Meerut to Sirdhanah there is no other that can be properly called a road in the District. The trade through it was completely stopped by the unlimited exactions of the Begum's myrmidons; so far did they carry their extortions, that a cart load of old building materials has been known to be stopped for duty. Petty impositions at village markets and fairs, and also fees from pilgrims to shrines have also been put an end to, and a poor man can now purchase a blanket or a pair of shoes without having to pay a few pice to the sircar for which he received a large seal on a dirty bit of paper.

The soil of Sirdhanah and Boothanah is in general light and sandy offering difficulties in well irrigation, while that in Burnawah, Burouth, and Kotana is excellently adapted for it, and some of the kutcha wells last upwards of twenty years, although they may be 50 feet deep, without any kotee beyond that of twisted Sumaloo bushes.

Since the demise of the Begum the Revenue has been revised, excepting in certain estates, and great relief has been afforded in cases which required it. The whole will be again revised on the completion of the survey, and the sooner it is finally adjusted and the people let alone the better; any delay for the purpose of screwing up the Revenue on improvements in irrigation and products, or increase of tillage, must be deprecated, as it will lead to a want of confidence. The average revenue of these Purgunnahs per acre of cultivation is 2rs. 9as. 5pie; while that of the four districts formerly reported upon is only 1 rs. 7as. 2 pie; which shews that they cannot be under assessed. In many cases, however, the distribution of the revenue appears most unequal, for which there can be no good reason. This will no doubt be rectified in due time. The zumeendars seem perfectly aware of the advantages of obtaining a final settlement previous to their entering into any extensive improvements, and no money will be laid out in cuts from the canal for the purposes of irrigation till they see their way clearly, as the canal officers experienced in the neighbouring purgunnahs of Baghput and Lonee. The cultivation of sugar cane will in like manner be kept back as it is at present, and every means will be taken to defeat the expectations of the revenue officers.

The average revenue per acre of cultivation in each purgunnah, sufficiently points out a fairer equalization of the assessment to be immediately required, and the following statement of the cultivation of three different monzas will shew that even greater inequality exists than the table exhibits, for which nothing between heaven and earth can possibly account on equitable grounds.—*Meerut Universal Magazine.*

THE BURMESE REVOLUTION.

We promised our readers an abstract of the events which led to, and accomplished, the late Burmese revolution, and we proceed to redeem our pledge by laying before them, a narrative of the extraordinary occurrences which we find detailed in the accounts we have received from various sources of intelligence from that quarter; and although rumour with its thousand tongues, was never more busily at work than during the progress of this revolution, in propagating falsehood of the most exaggerated characters, we believe that our account may be generally relied on, in matters of importance, and that the facts mentioned in the following details are materially correct.

In order to clearly understand the narrative of this revolution, it will be necessary to inform our readers of the relative position, in which the several actors in this drama stood towards each other previously to the commencement of any hostile attempts on the part of the present ruler, and when not even an intention was entertained by him, of supplanting his brother on the Throne. In the beginning of the present year, the Throne of Ava was filled by the now ex-King of whose family we shall first of all enumerate those members, who form the principal *personæ* in the revolutionary drama. Of these the most important are his favorite Queen, a woman of low origin, the daughter of the Governor of a jail, and her brother, who enjoyed the title of Menthaghie, or Great Prince, and who as such possessed great power and influence. The King had a son by another wife, who being of age, was entitled to the rank of Am-y meng, or Crown Prince, or heir to the Throne; to which however, he had not been admitted. The King had several brothers and sisters, but it will at present be only necessary to mention one, the Prince Tharawaddie, who from his wealth and possessions, and supposed amiable character, was much beloved by the people. The Princess of Pagan, his sister, is another prominent character in the following narrative; and Nga-Yeh, an alleged agent or minister of the Prince of Tharawaddie, although he does not appear in the story, will be found to be in no slight degree connected with its developement. In the year 1831 the King of Ava was affected by a disorder, which occasioned a derangement of mind; sometimes exhibiting itself in gloomy abstraction, at others in melancholy dejection, and which wholly incapacitated him for business. This affection may very probably have been in part occasioned by the loss of Arracan, and the other territories of which he was dispossessed in consequence of the late war with the English, and a sense of humiliation at having been the cause of this degradation of the sceptre of his great ancestor Allompra. Another cause is said to have contributed greatly to this melancholy state of his mind. The Queen, it was alleged, under pretence of securing his love, caused to be administered to him a philter, or drug, which working upon his nerves and brain, reduced him to a state of mental debility, that rendered him a mere instrument in her hands, and consequently left her free to work out her schemes in conjunction with her brother—the Menthaghie. However this may be, it is certain that from the period of the King's illness in 1831, Menthaghie has been, of course, with the knowledge and support of the Queen, augmenting his power, encreasing his influence, and removing the old officers in every department, and replacing them with creatures of his own. In order to promote the schemes of the Queen and Menthaghie, it was necessary not only that the king should be a mere tool in their hands, but that his brothers and son, the heir apparent, should be excluded from visiting or communicating with the king; and from all interference in the management of State affairs. The Princes were necessarily very much dissatisfied with this state of things, but were afraid to manifest their displeasure openly; and the Queen and Menthaghie continued to encrease their power, and to amass treasure, and to govern the whole empire entirely according to their own will and pleasure. Up to the commencement of the present year, although many indignities had been offered to the Prince Tharawaddie and his sister, the Princes Pagan, no acts of direct violence or forcible aggression were perpetrated towards them. On the night however, of the 21st of April last, a body of 100 armed men surrounded the house of the Princess, demanding, under the authority of an order issued in the King's name, the person of the abovementioned Nga-Yeh, who it was alleged was concealed in her house, and was asserted to be a most dangerous character and to have been guilty of treasonable and other malpractices. The Princess fled to her brother the Prince Tharawaddie, but it would appear, soon after returned to her own house, and Menthaghie, under a pretence, that the Princess had declared that Nga-Yeh was concealed in the house of Prince Tharawaddie, caused the household of the Prince to be fettered and imprisoned, till Nga-Yeh was delivered up. The Prince Tharawaddie most solemnly and earnestly denied all knowledge of Nga-Yeh's place of concealment, notwithstanding which, however, Menthaghie on the 24th February, sent an armed force to Prince Tharawaddie's house in the King's name, to demand that Nga-Yeh, should be given up. These troops on arriving at the Prince's residence, found the gates shut, which they threatened to break open, if immediate admittance were not given, in order that they might search for Nga-Yeh. To this requisition the followers of the Prince made no other reply, than by a discharge of half a dozen muskets, which killed one or two of the King's men or rather the troops of the Queen and Menthaghie.

It would seem that the notion of resistance on the part of Prince Tharawaddie, was never so much as dreamed of, by either Menthaghie or his troops; the latter headed by their Commander instantly fled, and rushing to the Palace, spread consternation and dismay among the Queen's party, who expected that the Prince would make his instant appearance among them, demanding vengeance for his wrongs. Tharawaddie, however, it seems, was not prepared for such a measure; he took boat with his family and followers, and proceeded to Tsagain, a town on the oppsite side of the Irrawadi. In the mean time the city of Ava, was a scene of the utmost confusion and alarm. Menthaghie and his party were in a panic, lest the Prince should fall upon them, and every preparation was made for defence, although Menthaghie had between four and five thousand well armed troops at command and the Prince had scarcely so many hundred. Had the former, instead of yielding to panic, and suffering Prince Tharawaddie to cross the river, sent a strong force with a resolute commander at their head, the resistance of the Prince Tharawaddie could not have long been effectual; instead of this, however, the moment that resistance was offered, both Menthaghie, and his troops were ready to cry *sauve qui peut*. The instant, however, that they heard that the Prince had retreated across the river, their courage revived, and they proceeded to conduct themselves, with the same reckless and improvident audacity and arrogance as before. They sent a party first of all to plunder Prince Tharawaddie's house; a few days after they caused his sister the Princess of Pagan to be seized *and loaded with irons*; and in justfication of their proceedings they alleged that Tharawaddie's intentions had long been known to them, and that his design had been, to seize the Prince himself, and set aside both the then King and his son, the heir apparent. Now, if this were true, it is impossible to justify the pusillanimity and want of foresight which, the moment that Tharawaddie's party made the slightest resistance, occasioned the whole party of the Queen and Menthaghie to be thrown into a state of panic, that rendered them utterly powerless. In the mean time Prince Tharawaddie retired in great order to Montshobo, a town about 50 miles north of Ava. This Town is the birth place of Allompra, the celebrated ancestor of the present reigning family, and the founder of the dynasty. This step was in accordance with the general policy of Tharawaddie, who profess to make Allompra's Government, the model by which he would have the Burmese Empire ruled at the present day; and this policy has all along proved extremely advantageous to his cause.

During these proceedings, the town of Ava was in the greatest state of alarm, the inhabitants expecting that it would be set on fire, and burnt to the ground. The situation of the foreign merchants, was extremely anxious, and even the British Residency, where the greater part of them had sought refuge, was by no means safe; as, if the town had been set on fire, it would have been next to impossible to prevent the flames from destroying the Residency, together with the town. The Prince Tharawaddie, having established himself at Montshobo, continued daily to gain accessions to his forces, from all quarters,—and the conduct of Menthaghie and his ministry, appears to have been of the most cowardly and contemptible, as well as foolish character. They despatched the Ken-woon, an old general, of no manner of skill or experience in military matters, after the Prince, and all he seems to have attempted, was to frighten Tharawaddie and his army, and induce them all to run away as fast as possible. It would seem that this plan at first succeeded, and that Tharawaddie retired before his pursuers, the latter taking up at night the ground which he occupied in the morning; but after the Prince had been some little time at Montshobo, his forces were so much encreased that he determined to make a stand, and act on the offensive. It must be confessed, that the courage of either party consisted chiefly in the fears of his antagonist; when one makes a stand, the other instantly retreats; although the dastardily panic, which paralized the energies of Menthaghie and his troops, upon the occasion of every reverse, was not by any means so conspicuous among the troops of Tharawaddie, who, in his own person, seems to have exhibited any thing rather than want of courage. However, looking at the manner in which each party acted under any emergency, if we regard the conduct of one party alternately, our astonishment that one should succeed, could only be surpassed by that which we should feel, if the other did not fail. But the Prince now began operations on the offensive, and despatched a body of 100, who attacked and took possession of several large and well garrisoned towns, among the rest of Dibayen, the Governor of which was a relation of the Queen, and whom they made prisoner.

A singular occurrence now took place, which tends in no shall degree to illustrate the policy of Bounaparte's lying bulletins, and to prove the truth of Jonathan Wylde's maxim, that a lie is too valuable a thing to be thrown away. A rumour was very widely spread, unitentionally we believe, on the part of Tharawaddie, that at Dibayen he had got possession of immense treasure belonging to the Queen and Menthaghie, and that this treasure he was very liberally dividing among his adherents. This was altogether untrue, but it served the cause of Tharawaddie as effectually for a time, as if it had been a bulletin; and numbers flocked to his standard from all quarters.

Menthaghie, mean while, and his ministers, exerted themselves to the utmost in the levy of troops and at length despatched about 20,000 of the "King's forces," as of course they were sent in the King's name, against Tharawaddie. Many of these deserted to their homes; many more to Tharawaddie, and in various ways this formidable force was reduced to one half its number. The public

feeling at Ava, and indeed every where else, now began to manifest itself very strongly in favor of Prince Tharawaddie; and the British Resident at this time, as was generally believed, made various efforts to open the eyes of Menthaghie and his ministers, to the fatal course they were pursuing, and to persuade them to endeavour by negociation to conclude by an amicable arrangement, a quarrel that threatended, if not speedily so terminated, the most fatal consequences to the existing Government.

To these remonstrances Menthaghie and his ministers remained deaf; they probably apprehended that if the king, whose state of mind appears not to have been so bad as had been represented, became acquainted with the real position of affairs, he would instantly command their heads to be struck off, one and all. In short the ministers of the Queen and Menthaghie, exhibited as much weakness, timidity, and hesitation, in the hour of danger, as they had arrogance in the time of fancied security and power, and the result was, that the British Resident was obliged to endeavour to secure the Residency, by such means as he found available, and proceeded to erect a stockade around it. The Menthaghie and his ministers continued in the same obstinate disposition till the Prince had placed himself in such a position that the next step, was to overwhelm them. At this crisis, according to our information, King, Queen Menthaghie and the whole of the ministers—for in their despair they had at the last moment informed the King of his peril and their own, applied to the British Resident, to do that which he had so earnestly recommended before, and implored him to intermediate, but it was too late; Tharawaddie's power — now too great, and although the Resident did proceed to his camp at very considerable personal risk, the whole country being covered with banditti, and had an audience of him, in which it is stated that the Resident engaged him solemnly to promise not to put to death a single soul, if the King, Menthaghie and his adherants, would lay down their arms; yet would he listen to no proposals of accommodation. He now felt himself too strong, and probably now began to entertain thoughts of possessing himself of the throne, which in our opinion, were not originally entertained by him He now also declared his intention to give up the city of Ava to his troops to plunder, and according to the best information that we can procure, but for the remonstrance of our Resident he would have put this threat into execution. Indeed we are inclined to believe, that although at the instance of our Resident, he refrained from abandoning this capital of the Empire to the pilage of his troops, the moment of the departure of the Resident will be the signal for the plunder of Ava and its destruction; which will most probably involve the assassination of Tharrawaddie himself. In fact he is in a dilemma we should not be surprised if the plunder of Ava were part of a stipulation on his part, as the consideration for the services of many of his most efficient followers; whilst in the other hand, the ruin and misery that would ensue from the destruction of Ava, and the removal of the capital to Montshobo, would raise Tharrawaddie's enemies that would most probably put an end to his reign, whether in favor of his son, or the son of the deposed King, we will not here stay to enquire.

Tharrawaddie demanded that the Queen should be removed from all intercourse with the King, her husband; that Menthaghie and twelve of the ministers, and chief military officers of the Government, should deliver themselves up into the hands of his son Thaitten-bye who commanded at Tsagain. At this crisis, these unfortunate men are represented to have exhibited the greatest attachment to the King, and in order to save Ava from destruction, and to preserve his Majesty from insult and perhaps death, they declared their willingness to surrender themselves to the son of Tharawaddie as he required. Accordingly on the 7th of April, these unhappy men prepared for their departure from the Palace. At the request of the Resident, he was allowed by Prince Thait-ten-bye to accompany them to the banks of the Irawaddi, which he did under an escort furnished by the Prince. The thirteen prisoners were then ordered to depart, and the melancholy procession passed through the streets, which were crowded by the populace, who regarded the fallen ministers with compassion and respect. These unhappy men were all on foot, and were headed by Prince Meng-Myat-Bo, who conducted himself with great firmness and intrepidity. As for Menthaghie, he appeared to be utterly overwhelmed by his reverse of fortune, which seemed to have deprived him of his faculties. When they reached the presence of the Prince, he received them courteously, but no sooner had the Company's Resident taken leave, than he ordered Menthaghie to be heavily ironed, and all the rest of the late prisoners, to be put in confinement.

On the 8th of April, a deputation of Mohummedan merchants who had been sent to Tharawaddie by the King, to effect a mediation in favor of the lives of the ministers, returned to Ava and reported that the Prince had repeated and confirmed the pledge he had made to the Company's Resident, to spare their lives on condition of surrender.

On the 9th of April Tharawaddie arrived at Tsagain, and immediately ordered the whole of the late ministers to be ironed, and sent to the common gaol. In the meanwhile, Thait-ten-gyit, was sent across the Irawaddi with a force of between 2,000 and 3,000 men, and took possession of the palace. He caused the Queen and her daughter to be carried to a distant quarter of the town; all the King's old household and domestic servants to be removed, and followers of his own to be substituted in the palace; he placed several other members of the late Government in

prison, some in irons; and dispatched parties to take possession of their properity and estates. He then caused the wife and daughters of Menthaghie to be seized, and it is said put to the most cruel tortures, in order to compel them to discover, where the treasures of the late minister were concealed. It is asserted, that this was done to the wives and families of many of the most opulent of the late ministry and that they themselves were subjected to torture, for the purpose of extracting the same information and confession of political importance.

At this juncture the Company's Resident crossed the Irawaddie and had an interview with Tharawaddie at that Prince's own desire. It is stated that the Resident at this interview remonstrated against the severe and cruel treatment that the late Ministry had been subjected to, contrary to the Prince's repeated promise. However, Tharawaddie, began now both to entertain less respect for his promises, and to regard the advice and remonstrances of the Company's Resident with less attention. Intoxicated with success, surrounded by flatterers continually pouring into his ears the most exaggerated praises of himself, and notions of the extent of his power and greatness, he seems very soon to have changed his opinion as to the obligation of pledges and promises, upon a monarch of unlimited authority. He doubtlessly began now to consider the presence of the Resident, as the preceding Government had considered it, an irksome and disagreeable control, of which he would willingly be rid; and like Louis Philippe, or any other superseder of a former dynasty, he rapidly fell into the adoptions of the very same errors and vices of Government, that led to the downfal of the old, and the elevation of the new dynasty.

Although Tharawarddie had thus set aside his brother's power, and although he called himself king, and would not be addressed by any other title, yet he did not assume his brother's title. From some cause or motive which is not altogether understood, he not only declined the monarchical title of the Ava dynasty, but he formed a determination to remove the capital from Ava to Montshobo, a town 20 miles from the river, and very little adapted for a capital. It is true that the retreat of Tharawaddie to this town, and his making his stand there, was an admirable piece of policy on his part, during the contest between him and the late Government. This was the birth place of Allompra, the founder of the present dynasty, and whose memory is highly revered by the Burmese. The policy adopted by Tharawaddie of identifying himself with the system of Government established by Allompra, at a moment when he was himself persecuted by the brother of the King's wife, a man of the lowest origin, tended very greatly to excite the sympathy of the people in his favor. But when Tharawaddie extended this policy so far as to attempt to convert the town of Montshobo into the capital of the empire, he must have acted from some motives, neither connected with the policy of Allompra, or the welfare of the State. It is not improbable that if he carry through this intention, from the ruin that it will produce to almost every description of trade and merchandise, and it may be anticipated the total destruction of Ava, his own death, from despair, or revenge, will be the consequence. He appears to have a superstitious dread of residing at Ava, which he avows, has ever been either unpropitious or fatal to his family. Notwithstanding the remonstrances of the Company's Resident, the late ministers were treated like common felons, and would have perished from sheer starvation—the custom of the Burmese being to allow no food to prisoners, had they not been supplied by the Resident with daily sustenance. Tharawaddie, however, now showed some symptoms of clemency; he released from imprisonment three Woongyihs, among whom was Maha Tsithu, who was one of the envoys to Calcutta in 1831, and several other officers. In the mean time the whole country about Ava was exposed to the severest inflictions of rapine and plunder. It appears that all manner of the most extravagant falsehoods had been propagated by both parties, the one against the other, all of which seem for a time to have been believed. Among other reports it had been confidently stated that the Queen and Menthaghie had prepared pots of water, and ropes, and sacks, on the evening that the house of Prince Tharawaddie was attacked, with the intention, had he been apprehended, of putting him and his sisters and chief followers to death; according to the received custom prevalent in the Burmese empire, of so putting an end to those of the Royal blood, who become obnoxious to the reigning dynasty.

About the 20th April, at the intercession of the Resident, several of the state prisoners were released, but they were merely set at liberty; and in the most destitute condition, their whole property having been confiscated. Menthaghie still continued a prisoner together with a relative of the King, by name Koung Nain Woondock Moung, Khan-ye, and a few military officers of the late Government.

Tharawaddie, it would seem, has but rude and barbarous notions of the obligations of treaties and international law. He proceeded to make certain regulations at variance with the treaty entered into between the late King and the Hon'ble Company, touching customs, and duties upon exports and imports, avowing that he considered that he had nothing to do with any of the treaties made with the late Government, and that they were by no means obligatory upon him. About this time too, he seems to have renounced all intention of abiding by the pledges and assurances that he had repeatedly given, that he would spare the lives of the state prisoners. Instigated by unprincipled and designing flatterers, always ready to minister to his worst passions, he now commenced the work of slaughter, by

putting two of the prisoners to death, one of whom was the Woondouk Moung-Khan-ye, who was at the head of the embassy that came to Calcutta in 1827, and was employed in conducting the negotiation with the English Commissioners for the settlement of the Munipore frontier. This indeed may very probably have been one of Tharawaddie's reasons for putting him to death, as one of the instruments of the national degradation; for such in the opinion of Tharawaddie, was the cession of territory to the British, in consequence of the late war. But Tharawaddie had a stronger motive than this. These two of the ex-ministry, with a third, the Atwenwoon Moung-Ba-Youk, one of the parties who negociated the treaty of Yandabo, are stated to have been the members of the late administration, who took the most voilent part against Tharawaddie, and urged Menthaghie to commit the first acts of aggression against the Princess of Pagan and her brother. Against these flagiant breaches of his solemn promise on the part of Tharawaddie, the Resident remonstrated, it is said, in very earnest and decided language; but Tharawaddie now assumed the language of a despot, and would listen to nothing, that tended in any manner to oppose his will.

On the 30th of April, Tharawaddie caused a proclamation to be made through the city of Ava, that his brother had resigned the Throne to him, and the dethroned monarch was on the same day removed from the Lhwotlan, or palace, to a mat building, in a distant part of the city.

The inhabitants flocked in crowds to view their late monarch as he passed along the streets, accompanied by his four principal Queens; and the people were not restrained by their fear of his successor, from manifesting the greatest sympathy and compassion for the unhappy Prince. This favorable feeling towards the dethroned Monarch and his family, appeared at this time to spread very generally. The populace, who previously to the late events, had entertained a great partiality for Tharawaddie, who possessed many qualities calculated to win popularity, now began to find that they, instead of gaining by the change of dynasty, have suffered greatly by the stop put to trade, and the plunder and oppression incidental to civil war. In short, the whole country had suffered more than ever from a hostile invasion by a foreign force; for numerous bands of robbers and banditti, quitted their places of retreat, and in the name of one party or the other, committed the most reckless plunder, and every kind of inormity; so that the popularity which Tharawaddie had enjoyed before the country had been afflicted with these miseries, was now greatly lessened, or changed to an opposite feeling.

During all these transactions, and after Tharawaddie had assumed the sovereign power, the eldest son of the ex-monarch was allowed to remain unmolested in the possession of the same villages which he had held previous to the late revolution. Time will shew whether the fate of this young disinherited heir of Empire, will form an exception to the usual lot of such unfortunate Princes.

The new King now began to pay some little attention to matters relating to commerce, and certain modifications of the duties on the exportation of rice, and the abolition of the taxes on labour and wages were discussed; but the old prejudices still prevailed against the exportation of silver, on which it was proposed to levy a duty of 12 per cent.

Tharawaddie, who we have already compared to Louis Philippe, affords one additional proof of the facility with which successful ambition kicks down the ladder by which ambition began to climb. As Prince Tharawaddie, he was altogether in favor of foreigners, and of a liberal commercial system; and derided the weakness and folly of the late government which at the commencement of the war with the Company, inflated them with such vain and extravagant expectations of success, that they actually apportioned out the three presidencies among themselves, and arranged who was to have Bengal, who Madras, and Bombay. The folly of all this, Prince Tharawaddie could discern; but when Tharawaddie becomes king, he appears to adopt the very same views and sentiments, which were the former objects of his censure, or his ridicule. Surrounded as he is by flatterers, adventurers, and desperadoes of all kinds, it is not impossible that he may be stimulated to attempt the regeneration of the Burmese Empire, to the glory of which achievment, his admiration and emulation of the Great Allompra, may probably strongly urge him.

An event occurred soon after Tharawaddie's assumption of the Government, which however unimportant in itself, appears to have had considerable influence upon the superstitious minds of the Burmese. The new King went to visit the elephant trap at Ava, to see a wild elephant that had just been taken. This animal happened to have certain white marks upon its body, an accident that was hailed as a most propitious omen, foreboding the future prosperity of the new dynasty, and his Majesty was congratulated in extravagant terms, on so happy a circumstance, as that the first elephant presented to him after his accession to the throne, should be a white one, a certain omen of good fortune. Tharawaddie himself was so pleased at the occurrence, that he took several jewels from his own person and presented them to the head mahout, or elephant keeper. This elephant of good omen, was treated with great respect, and put upon an establishment, corresponding with its importance to the state. However, notwithstanding this propitious event, Tharawaddie thought it necessary to secure his

power by further executions, and on the 8th of May, three of the state prisoners were put to death, among whom was the Pinzala Woon, a man of superior qualifications, and who under the late Government, had distinguished himself by his activity and success in suppressing robbery; and it was supposed that his death was a kind of propitiatory sacrifice to the revenge of some of the *condottieri* who had enlisted under Tharawaddie's banner.

On the 9th seven more unfortunate wretches were executed, some of whom had committed only the most trifling offences, in no way connected with affairs of state. But the miserable doctor who was alleged to have administered to the deposed King the philter, or love potion mentioned above, which was stated to have disordered that unhappy Monarch's intellects, was selected as the object of peculiar and cruel vengence. He was sawn asunder perpendicularly On the 10th the greater part of those who had been released, were again seized, and put in confinement. In the mean time all public business was at a stand, with the exception of the business of settling, and disposing of the various confiscations that daily took place; and under such a state of things, the British Resident, finding that his remonstrances were no longer of any avail, and that under such circumstances, his presence could be of no advantage, either to the present Burmese Government, the late King and his ministers, or the objects of the Residency, whilst on so many accounts, to remain longer at Ava was extremely unpleasant, he applied to the King for permission to retire to Rangoon, and requested that he might be furnished with an escort.

To this request the King very readily acceded, most probably rejoicing to get rid of one whom both the former Government and his own, have always regarded as a disagreeable, and in some degree a humiliating visitor.

The new King, indeed, notwithstanding his former professions, began to manifest even greater jealousy of foreigners then his predecessor; it was intimated to the American missionaries, that they must for the future forbear to distribute religious tracts.

The Astrologers, having, after due deliberation, and the performance of such ceremonies as enabled them to ascertain so important a matter, pronounced the 15th of May, as most propitious for the great occasion, Tharawaddie, together with his Queen, and his whole Court, that is to say all his women and chief followers, went to the Palace at Ava, for the purpose of taking possession of the Throne; a ceremony in a great measure analogous to an European Coronation. For some reason, however, which is not clearly understood, Tharawaddie omitted certain parts of the ceremony, and went through it with "maimed rites." He did not take his seat on the Throne, nor indeed enter the Palace; he did not even adopt the white Umbrella, the Symbol of royalty among the Burmese; but was content to have some strips of white muslin, tied on his ordinary gilt chattah This conduct excited considerable surprise, and gave occasion for various conjectures respecting the reasons for this deviation from the usual forms and ceremonials, on the occasion of the monarch assuming the emblems of royalty, which was the more striking among a people and with a government, who appear to attach great importance to "precedents." We conclude that either he had not made up his mind as to his future conduct regarding the lately deposed King, or that he sought by this means to compromise matters, not only with his own consience, in respect of his oath of allegiance; but with such of his followers as did not altogether approve of his assumption of the title and power of a monarch to whom they and he had sworn allegiance. It is not improbable that Tharawaddie may have omitted the entire and formal assumption of the emblems of royalty, with a view to their adoption when he shall have removed the capital to Montshobo, a plan upon which he seems obstinately bent, in opposition to the advice and the wishes of his chief officers, and which it is certain, if carried into effect, will occasion the destruction of Ava, and the consequent ruin of all its inhabitants. The policy of Tharawaddie is to identify his own system of Government, with that of his ancestor Alloompra, the great model that he affects to imitate; but although this was serviceable to him in his opposition to the late Government, it cannot have the same effect in rendering him popular, when he proposes to put it in operation practically, to the destruction of Ava. Montshobo is an Inland Town, many miles from the river, and consequently ill adapted for commerce and trade; the digging of canals, and the construction of rail roads, might obviate this disadvantage; but these powerful auxiliaries to commerce, should be effected before the town is constituted the capital; otherwise trade must be in abeyance till they are constructed. In the mean time it is not impossible that the change of dynasty may cause very great changes in the Burmese Empire itself, great augury of which, a much surer prognostic than the capture of a white elephant, is the total ignorance in which Tharawaddie's Government remained, of the state of the country, particulary to the Northward. In spite of all this, the new dynasty take very little pains to conciliate public opinion. A body of Armenian merchants; which class had always favoured the cause of Tharawaddie; presented a petition setting forth the difficulties under which they laboured, in consequence of the impossibility of obtaining payment of their debts, since the late commotions, and praying the interposition of the Government in their behalf. This deputation were ordered by Prince Thait-tengyk to be flogged out of his presence. Though

treated with great indignity, they were immediately expelled, but without the threatened corporal infliction. A deputation of the chief priests of Ava, who waited on the King to petition that he would postpone the removal of the capital to Montshobo, were dismissed without a hearing, and instead of complying with the prayer of this petition he gave orders that the preparations for his departure to Kyouk-Myung should be hastended. In a word, the new King seems to be not only regardless of those pledges and promises that he entered into previously to his accession to the supreme power of the Burmese Empire, but he appears also to be either wilfully, or in fact, ignorant that a treaty entered into with a foreign state by the late Government, can be in any way binding upon him, and he seems to have made up his mind to consider himself released from any obligation to abide by the treaty entered into between the Company and the Government he has superseded; as though by overturning an administration he could destroy an international compact. During all these occurrences, the personal safety of the late King, and in some measure his comfort, have been regarded, as well as that of the favorite Queen, and the life of Menthaghie has been hitherto spared.

Such, according to the most authentic accounts, is the history of the rise and progress of the Ava revolution, and change of dynasty. Whilst the waves of this convulsion are still discomposed, and the storm yet raging, it is impossible to predict what will be the result of such a commotion. It is not improbable that the contemplated change of the capital, may have dangerous, if not fatal consequences to the new dynasty. If intoxicated, or rather maddened, by his easy success, Tharawaddie should think himself strong enough to set at defiance the obligations of solemn treaties, with a view to the recovery of the lost possessions of the Burmese empire, it is not difficult to foretell the result. If *he* proceeds, like his predecessors, whose conduct and follies he as in so many instances imitated since his accession to uncontroled power, to apportion among his followers, not Bengal, Madras, and Bombay, but the territory ceded by the Burmese Government, his presumption will have more fatal consequences than theirs. Whilst he yet continued accessible to the voice of reason, the powerful remonstrances of the Resident, prevailed to save him from the perpetration of great crimes, and his subjects from much misery. He appears, at last, to renounce, not only the influence of the Resident, but the control of prudence and ordinary discretion; and to deliver himself up to the guidance of flatterers, who will probably conduct him to his ruin.—*Bengal Harkaru, July* 11, 15 *and* 17.

THE HUGLI IMAMBARAH.

We publish below two letters, the one from Mr. Macnaghten, the other from Mr. Belli, the Local Agent of the Government, in the Superintending of the Emambarah at Hugli. Most of our readers are aware that this Emambarah is a Charitable Institution, founded many years ago—about 40—by a Musalman of the Sheah Sect, for religious purposes, and for the maintenance and education of persons of the Sheah Sect of Mahomedans. By the will of the founder two persons were appointed Mootawallees (Executors) and Trustees, for the purpose of carrying into effect the purposes, bequests, and intentions of the testator and founder of the institution. These two persons were succeeded by the Nawab Allee Akber Khan, who filled the office of Mootawallee of the Emambarah, for about 18 years—he having previously been an old servant of the Government, and being in possession of all sorts of testimonials, and having, moreover, received from Government a *khelaut* for certain important services performed. This man after having served the Government for about 50 years, has been turned out of office *without* a trial, on suspicion of mal-appropriation of the funds of the institution. We beg to refer the reader to the letter of *Mr. Belli*, which speaks for itself. The Government *begins* by turning the Nawab out of office—upon suspicion—they then institute proceedings to convict him of the crime of which he is suspected, and for which they disgrace him *by anticipation*; they fail totally in establishing a case against him, after two attempts, but still the Nawab is kept out of office and another person is put in his place. The Nawab, memorializes and asks for a fair investigation; the Government answers, you may attend that investigation going on at Hugli, *which* investigation is closed, because according to Mr. Belli, it is impossible to prove the case of suspicion on which Government has deprived the Mootawallee of his place. This proceeding on the part of Government is so harsh, so unjust, that we must seek for causes, because if it were the usual practice, it would render Government *too* odious. It is known to all men, that out of this very Emambarah, at least out of the estates left for its maintenance, Government has contrived to get nine lakhs of rupees, and that during the administration of the late Mootawallee, the Nawab Allee Ukbar Khan—which nine lakhs they have placed at the disposal of the Education Committee, and the poor Sheah founder, would be monstrously indignant, if he could come to live and behold the unclean dogs who now educate, and receive education out of the funds left by him for the maintenance of the followers of Allee, and for the encouragement and support of all true

believers. He would be more indignant could he see that his Sheal Mootawallee has been turned out to make way for another, and that the said Mootawallee can obtain no redress from the Governor of Bengal, because the said Governor only thinks and sees through the medium of the assistant Secretary for Bengal, and the Private Secretary for heaven only knows what. Let education flourish; but we are quite certain that the best of persons,—those who would have the dissemination of information and the increase of its means, increased and propagated far and wide,—would repudiate the means to an end exhibited in the present instance, to wit the discarding of an old, faithful and meritorious servant of the state upon suspicion, the refusal of an investigation, and the mal appropriation of the bequests of the sincere and zealous professor of another and a hostile creed. The interference of Government in the case of the Hugli Emambarah is, as far as it regards the old Mootawallee, a piece of cruel injustice, of condemnation without proof As far as it regards the intentions of the testator and founder, it is a shameless abuse of power, without palliative or justification.

Extract of a letter from the Local Agents of Hugli to the Commissioner of the 14th Division, dated the 2nd December, 1836.

Para. 2D.—With reference to the 2d paragraph of the Board's letter, we beg respectfully to state, that *we have not been able to acquire any tangible facts of misapplication of the funds* upon which we could calculate basing, with any prospect of success, an action against the late Mootawallee either in a Civil or Criminal Court; we think this view of the subject is confirmed by the result of the survey lately conducted by the Executive Officer Lieutenant Fagan, whose examination affords *no ground for criminating the late Mootawallee as respects the expenditure of monies in works of masonry*, and this was one of *the large sources of disbursement*. Had we, indeed, any assets of the late Mootawallee in our possession, we might (having the upper hand) refuse to give them up until we should be thoroughly satisfied of the mode in which the money entrusted to him had been expended, and we might thus, it is true, shift the burden of proof from our own shoulders to his; but as this is not the case, as we retain no property whatsoever of the Nawab's, with us would of course rest the task of *proving the fact of embezzlement*,—a task which, owing to the circumstances mentioned in the 2d paragraph of our letter already alluded to, would in our opinion *be an utterly hopless one*. The Nawab and the Naib Mootawallee have now been removed, measures have been taken to provide against a repetition of *mal-practices* similar to those which *we believe to have formerly occurred*, and as we are decidedly of opinion that nothing further is to be gained from an agitation of the question, we would respectfully suggest that the idea of a prosecution should be dropped for the present, reserving to ourselves the right of entering upon it again, should circumstances ever place us in possession of the necessary proofs.

(True Extract,)

(Signed) W. R. Belli. } *Local Agents.*
Thomas Swin, }

(No. 26.

To Allee Akber Khan.

Late Mootawallee of the Hugli Emambarra.

Revenue.

Sir,—I am directed by the Right Honorable the Governor-General of India in Council, to acknowledge the receipt of your memorial, dated the 23d December last, appealing against your dismissal from the office of Mootawallee of the Hugli Emambarra, and praying award for a fresh enquiry into your conduct.

2d. From the report of the Sudder Board of the 20th June last, and other papers, the Governor-General in Council is of opinion, that it is clear that you acted in contravention of positive orders in applying a certain portion of the proceeds of the trust estate to a different purpose, from that for which the said portion was ordered to be set aside His Lordship in Council is therefore, of opinion, that this is not a case in which the Supreme Government should interfere

3d. You pray for an enquiry into your conduct when you will be prepared to enter in your defence, but I am desired to observe that from a copy of the orders of the Sudder Boardof Revenue, already quoted and furnished by you, it appears that the local agents have been directed to institute a full enquiry into the past administration of the endowment, and that you will no doubt be allowed an opportunity of attending the enquiry, and of adducing any thing you may wish to urge in your defence.

„I am, Sir, your most obdt. Servt.,

(Signed) W. H. Macnaghten,

Secretary to the Government of India.

Fort William, 27th Feb. 1837.—*Bengal Hurkaru, July* 6.

We understand that Karammutt Ali, who has recently been installed in the office of Mootawallee of the Hugli Imambariah, is stirring up his brethren of the Sheea sect, to overturn the decisions of the Government and the tribunals in respect to the establishment of Hugli College. The deceased Hadj Mohammud Mohsin, may his shadow be perpetual! left a very large sum to be appropriated to "benevolent purposes not specified." Moreover, but for the Government's interfence, it is believed, that there would now have been little or no estate to meet these or other purpose which were specified; but the newly awaken-

ed zeal of Karammut Ali, it seems, will not admit that these circumstances justify the appropriation of any part of the funds of the estate of a deceased Sheeah, to the education of heretic Sunnees, much less to infidel dogs of the Hindu and Christian religion; and so he has zealously set himself to work to overturn the decision of the Government which conferred on him his appointment; and in order to effect this laudable object the more readily, we hear that he and several of his friends have clubbed 1,000 rupees each to endavour to bring the whole matter into the Supreme Court!

We are by no means convinced that the appropriation in question could be fully borne out in strict law, but we have no intention of now entering into that question; for, be that as it may, we have no hesitation in saying that were we in the place of the Government, we should at least take care to let Karammut Ali know, without a moment's delay, that we would not tolerate his interference in this matter; for his conduct is wholly without excuse. We can make every allowance for the effects of enthusiasm, however mistaken, but this person cannot offer any such plea in excuse of his proceedings. He came recommended to the Government as the fellow traveller of Captain Connolly, in whose interesting volumes handsome mention is made of him; and one of the reasons for his appointment was, that he was considered anything but a bigot. In fact the account given of him in that work, if our memory deceives us not, exhibits him as the very reverse of a bigot or enthusiast in religion. At all events he accepted the appointment, *perfectly aware* that a College and been established at Hugli in connection with the Imambarrah. He not called on to teach in it; but merely to superintend the Imambarrah itself and to perform duties which can offer no violence to his conscience as a Sheeah, however zealous; yet no sooner has he assumed the office which he thankfully accepted from the Government, than he begins to kick against the very authority which appointed him, and to enter into intrigues to reverse decisions which are the result of several years' investigation and deliberation by his superiors, presumptuously arraigning all that has been done by them and affording an example calculated to stir up that sectarian animosity and jealousy which had been allayed and were quite in abeyance until he arrived to revive them. Whatever then be the merits of the question about the Hugli College, were we the Government, we should very soon give Monsieur Keramut Ali his *juwaub* as they say in Paris.

One great mistake of the Government in respect to the appointment in question, has been that of conferring on the holder of it a wrong title calculated to impress him with much too lofty notions of the real nature of his office. The Government are themselves, in fact, the Mootawallies, and have so declared themselves, and the Mahommedan gentleman in charge of the Imambarrah, is their deputy and ought to be styled the Naib Mootawallee. Our readers may ask what's in a name? We answer, notwithstanding Shakespeare's authority, a great deal—in this case particularly. Had Kuramut Ali been styled merely Naib, we think it probable that he would have quietly discharged the easy duties entrusted to him and enjoyed in peace the comfortable income (of 6 or 700 rupees a month) allotted to him, instead of stirring up sectarian strife and waging a war against power which will only end in his own loss; for, to use a homely adage, he is quarreling with his bread and butter, at a time when many worthy men find it difficult to get even bread without butter. The Government can be at no loss to find Mahommedan gentlemen of equally high character to fill the honorable and lucrative office in question, and who would be perfectly satisfied with arrangements which have given satisfaction to men of all sects of equal intelligence and worth.—*Bengal Herald, July 2.*

To the Editor of the Bengal Hurkaru.

SIR.—I read in your paper of the 3d, an article taken from the Sunday *Herald* of the 2d, regarding the *Towleeut* of the *Waqf*, or appropriation of Hajee Mohummud Mooshin, late of Hughli The writer of this article appears to be out of humour with Meer Kuramut Uli, the present Mootawallee, because this gentleman has objected to certain misapplications of the Wuqf funds, as being contrary to the intention of the endower and the tenets of the Sheea religion. As Government are the authors of these misapplications, the writer proposes to dismiss the Mootawallee, and thus get rid of his complaints altogether, and of the evil rising from such complaints, rather than, by entering into an explanation with him, open a door for discussion on the subject; he then, with a mind equally fertile, recommends Government to keep the Mootawalleeship themselves, or to chuse from the numerous Mohummedans one of a less fastidious character to fill the honorable and *lucrative* office and who would be *perfectly satisfied* with the "arrangements" in progress. This is indeed a very summary way of disposing of a question involving scruples of conscience, and it only goes to show that the writer never took the trouble of acquainting himself with the nature of property consecrated to religious purposes; for if he had done so, I feel assured he would be less bitter against the present Mootawallee, whose objections, to the measure pursued, as far as I can learn, appear to rest upon religious principles alone. It must be recollected that one error cannot be corrected by the commission of another. The late Mootawallee was removed upon the plea of misapplication of the funds, because it was urged, that he applied to himself money from the Wuqf funds over and above his own legitimate right; but the Government have also been guilty of misapplication of the funds they have applied them to the erection

of a College for the diffussion of their own language. The one took the money for *his own use*, and the other for the *use of their language*. In either case the funds have actually been taken away from their direct legitimate object, and applied to purposes of a different nature altogether. The difference of the two misapplications lies in this, that one is personal and the other general, and more injurious to the object of the Waqif or endower. If the Government should say that by diverting the surplus funds to the propagation of knowledge through the means of the English language they were conferring a benefit upon the people, the discharged Mootawallee would say that by taking part of the surplus funds he was doing good to himself and his family and others of his connections and dependants who were all of the Sheea persuasion. Thus to do good is the declared object of both, the one upon a large scale and the other upon a smaller one; but then the amount of the funds drawn by each, to carry their respective designs into effect, should be considered and the object of the endower which was the good of his own particular persuasion and sect. Under this view the whole of the dispute appears reduced to a mere matter of opinion, losing sight altogether of the object for which the *Wuqf* was intended, and we know that mankind are not always agreed upon matters of opinion; but which of the two is right, can only be settled by a reference to the Will of the Testator and his intention. He declares his intention in making the Wuqf to be to promulgate and support the cause of his own Faith, and this object is not attained either by the Mootawallee's taking money above his due, or by the Government taking it for the diffusion of the English language, so, both of them are wrong. Error being proved in both it is not necessary to know whose error is the greatest. The Government, I am told, veil their usurpation of consecrated rights under the words, "Ukhrajat-i-Husna" used in the Deed of Appropriation, and say that these words, signifying *benevolent expenditures*, sufficiently justify the course they have adopted; while the Mohummedans say that no expenditures are benevolent excepting such as emanate from their religion; the Mahommedans after all, it must be confessed, are the best interpreters of their own words. This will bring us to the conclusion, that if the Mootawallee's dismissal is as justifiable upon the grounds of his appropriating money to himself beyond his just due, it is equally justifiable to expunge the study of the English language for which money is taken by the Government beyond their own just revenues. If we wish to act justly and fairly we should draw our authority for the disbursement of the *Wuqf* funds from the Deed of Appropriation, and not trust to individual opinions for that purpose. If a doubt occurs respecting the meaning of any particular word, or the construction of any particular sentence, we should seek for explanation from the *Oolmaé Deen*, or the Mohammedan Doctors of Religion, and act upon the explanation they afford us; otherwise the whole would amount to violence and usurpation of the sacred rights of the people. In such a case the language prescribed to the Government, by the writer of the article, would suit well "that we cannot tolerate his (Kuramut Uli's) interference in this matter; for his conduct is wholly without excuse." As to this writer's advising Meer Kuramut Uli to take his 700 rupees a month and remain quiet, that is to say, to consider the allowance made to him a sufficient recompence for the resignation of his faith and conscience, I must leave him amidst his *praise-worthy* suggestions, for I fear I have already trespassed upon the limits of a newspaper communication.

Your obedient Servant.

July 4, 1837. *ALOO BOOKHARA.*

Bengal Hurkaru, July 12.

An instance of conscientious scruples, urged by a Native to the detriment of his own pecuniary interests, has just been brought under public view which is worthy of special notice, were it only on the ground of its singularity. We have been so uniformly accustomed to see the Natives act under the influence of selfish motives, and sacrifice every consideration to that of gain, that, it is quite refreshing to find a man animated with high principles, and risking the displeasure of Government and the loss of his own salary in the support of them. This unusual phenomena has been presented on the following occasion.

A wealthy Mahomedan of the Sheea sect, who died more than thirty years ago, left a considerable estate as a charitable and religious foundation, to be administered particularly for the benefit of his own persecuted sect. The lands were left under the management of two Mootawallees, (Principals or Abbots); but their misconduct and fraud subsequently obliged Government to place the administration of the estates under their own officers. By their good husbandry, a large augmentation of rent was obtained, exceeding expectation of the testator, and the wants of his institution. It was determined, therefore, after providing adequately for all the arrangements made by the Founder, to devote the surplus funds to the erection of a College at Hugli, for the instruction of youth without distinction of sect or nation both in English and in the Oriental languages, and in the sciences of Europe. This is the origin of the Hugli College, which is an honour to Government and promises to be a blessing to the district. This is the College of which such honourable mention was made in a late number of the Edinburgh Review.

The situation of Mootawallee being vacant, the Board of Revenue, anxious to bestow it on the most worthy, searched the country through for a suitable person. On no occasion perhaps, has more diligence been used by the public officers to discover the right man

or more deliberation employed in the gift of an appointment. Among those whose claims brought before the Board was Keramut Ali, the enlightened companion of Lieut. Conolly in his travels through the Mahomedan countries west of the Indus, a man profound ly read in all the learning of the Mahomedans, and of active habits. His qualifications appeared to be superior to those of every other candidate; and he was accordingly brought down, and inducted into office, with a salary of between six and seven hundred rupees a month.

The establishment of the Hugli College, out of the funds of a Mahomedan endowment, has from the beginning been a source of deep chagrin to all pious and devout Moosulmans, and no stone has been left untumed to prevent what in their view appears a desecration of the funds. Keramut Ali, having been installed in office, was forthwith inoculated with the scruples entertained by his countrymen. He obtained a copy of the will, studied it both legally and grammatically, and at length came to the conclusion that the augmentation of revenue which resulted from the wise management of the public officers must follow the disposition of the Estate as fixed by the testator, that it was the desire of the testator that the revenues of the endowment should be applied exclusively to the encouragement of his own section of Islamism, that the word which Government had interpreted to signify good works generally—upon which interpretation, they founded the appropriation of a portion of the funds to the object of public instruction, was to be taken only in a religious sense; and that to lay out any portion of the rents in English instruction and the education of unbelievers was a violation of the intentions of the founder. Upon the strength of this reasoning he addressed a long remonstrance to the public authorities, and to demonstrate the integrity of his view, declined receiving any portion of his own salary.

We cannot but feel a high respect for a Native who travels out of the beaten track of servility, and upon a scruple of conscience places himself in direct opposition to Government, preferring the loss of an easy and lucrative office, to an acquiescense in what he considers wrong. But whatever may be our regard for his character, we cannot but consider his cause untenable. His proposal is nothing less than that the Hugli College shall be broken up, and all the funds made over unreservedly to his own countrymen. And he founds this singular request upon his own interpretation of an expression to which Government, after careful and anxious examination, had affixed a different meaning. Supposing that there exists any real doubt upon the meaning of the word, which the authorities have taken in its widest signification, and which Keramut Ali takes in a restricted sense, Government have, we think, acted wisely in giving the public the benefit of that doubt. The only crime with which the most fastidious can charge them is that they have founded a noble institution upon the strength of a philological ambiguity. It is for the advantage of Society that the Mootawallee should accommodate his views to the philology of the ruling authorities. He has ample funds at his disposal to carry into execution all the religious intentions of the testator. If he be not satisfied with this; if there be an irreconcilable difference between him, as the organ of a small party, and Government, as advocating the interests of the whole district, he must resign; and in this case we hope he will obtain that patronage from Government which his conduct richly deserves. We can spare Keramut Ali; but we cannot spare the Hugli College. If the question be reduced to the simple alternative of continuing the Mootawallee or the College, there can be little difficulty in preferring the good of the many to the scruples of one—*Friend of India, July* 10.

We are glad to see the *Friend of India* doing justice to the disinterestedness and honourable conduct of Keramut Ali,—though we are far from approving the reasons assigned in the following extract for disregarding his representations.

"We cannot but feel a high respect for a Native who travels out of the beaten track of servility, and upon a scruple of conscience places himself in direct opposition to Government, preferring the loss of an easy lucrative office, to an acquiescense in what he considers wrong. But whatever may be our regard for his character, we cannot but consider his cause untenable. His proposal is nothing less than the Hugli College shall be broken up, and all the funds made over unreservedly to his own countrymen. And he founds this singular request upon his own interpretation of an expression to which Government, after careful and anxious examination, had affixed a different meaning. Supposing that there exists any real doubt upon the meaning of the word, which the authorities have taken in its widest signification, and which Keramut Ali takes in a restricted sense, Government have, we think, acted wisely in giving the public the benefit of that doubt. The only crime with which the most fastidious can charge them is that they have founded a noble institution upon the strength of a philological ambiguity. It is for the advantage of society that the Mootawallee should accommodate his views to the philology of the ruling authorities. He has ample funds at his disposal to carry into execution all the religious intentions of the Testator. If he be not satisfied with this; if there be an irreconciliable difference between him, as the organ of a small party, and Government as advocating the interests of the whole district, he must resign; and in this case we hope he will obtain that patronage from Government which his conduct richly deserves. We can spare Keramut Ali; but we cannot spare the Hugli College. If the question

be reduced to the simple alternative of continuing the Mootawallee or the College, there can be little difficulty in preferring the good of the many to the scruples of one."

Such arguments as these would justify the invasion of private right and the setting aside of wills altogether. A Moosulman builds and endows a Mosque, a Hindoo leaves his money to support the followers of his own religion: each believes his bequest to be an act of piety, and so describes it in words. A Christian may consider the money applied to a bad purpose, but can he put a Christian meaning upon the word piety, and then employ his philological chemistry to separate the object defined from the piety professed, and thus set aside the former as inconsistent with the latter? According to this view the Resumption Collectors have plenty of new work in prospect; they will no doubt be able to discover enough of "philological ambiguity" in the old Sunnuds of many a temple, to make it out to have been the righteous intention of the founders to resign the property to the will and pleasure of the British Government, in order that the latter may find a good and pious purpose to which to devote it—and what better than the relief of the public burthens by carrying the proceeds to the public account?

Our weekly contemporary cannot for a moment hesitate between sacrificing a good institution and sacrificing a principle. We are sorry for the confession. The dilemma is that of a man who cannot resist temptation. But the thief who has the rich man's purse within his grasp, has some excuse in his own destitution. Has the British Government the same excuse, or any excuse at all, for seizing the property of the Hugli Imambara? Its ostentatious applause in a country journal in England to be bid for with the spoils of the dead, and a reputation for enlightened views and liberal encouragement to the diffusion of English knowledge amongst the Natives to be acquired by robbing the rightful legatees? If this be the way to govern a country with wisdom and righteousness, why not pounce upon the wealth of Rooplall Mullick, —the half crore of rupees the rich Baboo has just left to his relatives? Here is a fund large enough for a dozen English Colleges, and who shall dare to dispute the piety of its application? Obsequious *Mootawallees* are not so scarce in India, that Government is to be be stayed in its designs by any impertinent scruples of a conscientious man who might venture a word in behalf of the possessed heirs of the family estate.

But why put the alternative at all? If the College at Hugli be so very good an institution—if the good it does or promises to do be more than commensurate with the expense of its support, then is it an institution which the Government and the public ought to maintain, though the funds now devoted to it should be taken away by a reversal of the judgment that has so applied them in error. Suppose the case had been susceptible of an appeal—we are not sure that the Government is not liable even now to a suit in some shape, and at any rate the matter might be brought before Parliament—would such an objection as that of the *Friend of India* be listened to for a moment? Would Lord Brougham shape his judgment to the convenience of the parties, and before he ordered restitution, enquire how far this would be agreeble? and what interests might collaterally be affected by it?

We observe an insinuation that the views of the Syed are upheld only by a small party, and a letter in the *Hurkaru* this morning makes the same insinuation as to the origin of the petition presented to Government last year by the Mahomedan population. It would be a calumny upon the community to suppose that a question of mere justice should have only the support of "a small party;" and as to the petition referred to, so completely was it a spontaneous affair of the Natives themselves—the "small party," comprising some thousand persons—all the respectable class of the Moosulman population—that we never heard of it till it was almost ready for presentation.—*Calcutta Courier, July* 13.

To the Editor of the Bengal Hurkaru.

Sir,—If your correspondent, ALLOO BOKHARA, is not, as you call him, a very able, he is at least a very zealous defender of Keramut Ali, and he equals his friend modesty with which he leaps to his desired conclusion, and sets up *his dictum* as quite conclusive against the judgments of men equally as well versed in Mahommudan law, in the nature of the trust of Hadji Mohommud Mohsin—and at least as intelligent and disinterested as his client, who has come all the way from Lahore to instruct us, that we are all in error supposing that education in English can possibly be of any use to the natives of India. Perhaps, in spite of high authority, there may still be some who will continue hardy enough to believe, that notwithstanding the learned ingenuity he has displayed, a little instruction in English, might be of use even to himself.

The simple facts of the case which seem to justify the Government are, that in consequence of the gross and proved corruption of the Mootawallis appointed by the will, the Government, according to the Mahommedan law became curators of the estate, or Mootawallis; now the will gives power to the Mootawallis to "*uphold what they think fit and to resume what they think fit;*" and after every purpose *specified* in the will has been fully and efficiently provided for; the Government, in consequence of this ample power thus conferred on them, has deemed it fitting to apply the large surplus funds accumulated to the purposes of general education; and in doing so it has only extended the plan of a

Mootawalli and a Shees, your friend Nawab Ali Akbar Khan, who was, long after proposing and carrying it into effect, turned out, not, as you say, for corruption, but for gross disobedience of the orders of the authority which appointed him; although a subsequent investigation left no doubt on the minds of the investigators that he had been corrupt enough. He it was, however, who first proposed the establishment of a school for giving education in English, Bengali, &c. and the College is but an extension of his plan warranted by the amount of the large accumulated surplus fund.

With respect to the conduct of Keramut Ali in stirring up discontent and endeavouring to overturn the decisions of the authority from which he received his appointment, your correspondent seems to think it highly honorable and most disinterested; and he chooses to ascribe it to zeal for religion. He is welcome to his opinion; but the fact is, be the motive of Keramut Ali what it may, for the struggle he is making, that struggle is clearly for POWER *and emolument*. Nothing will satisfy him but to have the whole power and the entire controul of the funds. I shall merely add that the decisions to which he opposes himself, are the result of year of patient enquiry and have been concurred in by Mahommedans quite as orthodox, *at least as* disinterested, and fully as learned as himself, although perhaps their astronomical acquirements have not yet enabled them to perceive, that the Governor-General is the "rope of the galaxy" or "the stirrup of the moon."

I am, Sir, yours obediently,

COMMON SENSE.

Thursday, 13th July, 1837.

P. S. The words I have quoted are not in the copy of the translation of the will, which you republished: they are in authentic translation—that made by Mr. D. S. Smith, the interpreter of the Supreme Court.

To the Editor of the Bengal Hurkaru.

Sir,—The case of Meer Keramut Ali, Mootawallee of the Hooglee *Wuqf*, scarcely needs assistance from friends. He seems to be the bold asserter of his own rights, as his address to the Governor, and his letter to the Board, plainly show. With regard to *Wuqf* property, and the character of a *Mootawalle*, to whose care and management such property is entrusted, a few words might be said. *Wuqf* property, is property consecrated for pious purposes, and as such respected by the governing power. If we extend our view throughout the provinces of Bengal, Behar, Orissa and Doab, we will see a number of *Wuqfs* both of Mohammedans and Hindoos, although coming down from a remote period, yet are respected and continued by our Government; and if Government, by the general concurrence of mankind and the laws of nations, felt themselves called upon to honor and continue religious bequests made in time anterior to theirs, is it decent, is it right in them to disturb such bequest when made in their own time, and lay the hand of violence upon them; I would view such conduct in the light of breach of trust; because the *Wuqif* in effect, leaves his property to the care of the reigning power, relying on its integrity that full operation would be given to his intention as set forth in his will, provided those intentions were not at variance with its laws. It is this grand security that quiets his mind at the time of his death, and fully assures him that no undue advantage would or could be taken of property thus left for pious purposes, particularly in a country and under a Government where different religions exist; and are tolerated under all their various forms. It is under this circumstance that Hajee Mohummed Mohsin made his *Wuqf*, and, I dare say, he never entertained the least fear on the part of Government, that they would ever lay the hand of violence on it; on the contrary, he must relied on them for protection if any attempt of the kind were made by any individual or individuals whatsoever; and I believe a pledge of this nature is understood to be held out by the governing power; whose influence could only be exercised to correct abuses and bring back things to their *original* state should they have departed from it, by abuses or mismanagement. In the case under consideration, that is to say the Hooglee *Wuqf*, the *Wuqif* appoints two *Mootawallees* of his own selection to carry his intentions into execution, and their intentions are clearly and unequivocally set forth in the *Wuqf nameh* or deed of appropriation. He directs that, after the payment of the just revenue of Government, the remaining produce of the property, whatever that may be, be divided into 9 equal shares, of which 3 he appoints for the expenses of the *Imambarah* and the *Huzrats*, 2 for the personal expenses of the Mootawallees, and 4 for the payment of the establishment, &c. and charitable expenditures, that is to say, for *Ukhrajat i Husunah*; of which the just and legitimate meaning, Meer Kuramut Ali so happily explains. The *Wuqf*, after the death of the *Wuqif*, I believe continued in the hands of the *Mootawallees* of his appointment for some time; until circumstances led the Government to interfere under the plea of mis-appropriation of the funds. They then ousted the Mootawallees under management, and instead of *two* appointed *one* of their own selection; and alienated part of the funds for the diffusion of their own language, that is to say, the English language; and this last Mootawallee too, of their own appointment, they *subsequently* dismissed on the plea of corruption, although no legal proof could be adduced, in support of the charge. The interference of Government, as I have before observed, could only legitimately be exercised in the correction of abuses and in bringing back things to their original state and purpose. The deed of appropriation being before us, we do not see is

it that any part of the funds was to be alienated and applied to the diffusion of the English language. Government having done so, I feel no hesitation in saying that a breach of trust has actually been perpetrated, and the pledge which Government hold out to protect their subjects and their property from usurpation, shamefully violated. To retrieve their lost honor now, will be to restore the funds to their original legitimate purpose.

Now let us examine the office of a *Mootawallee*. There can be no doubt that this is a sacred office, in the holder of which probity, truth, moral, good principles, and a correct knowledge of the faith he professes are essentially requisite. These essentials, we have the Wuqif's own assurance, the Mootawallees of his appointment possessed. How these Mootawallees failed or what became of them, or what led to the interference of Government and the desecration of part of the *Wuqf* funds is not my present purpose to look into. This much is known to us, that the late Mootawallee was removed on a charge which his very ancestors admit is not sufficiently made out to justify a legal prosecution But I have a few words to say as regards Meer Keramut Ali. It would appear, that this gentleman was invited from Ujmere, where, I am told, he held a respectable appointment, with the offer of the Mootawalleeship of the Hooglee Wuqf—I will not say Imambarah, for that forms only a part of the Wuqf; it was pledged to him, that he would be put in charge of the *Twaleeut* which he was told was conducted under the directions set forth in the *Wuqf nameh*, and a great stress at the same time was laid on his being of the Shea persuation, as the Wuqf was altogether for that sect. His allowances too was stated would be one-ninth of the entire produce of the *Wuqf* property. Under these buoying expectations, Meer Keramut Ali travelled from the extreme end of Hindustan to Calcutta. On his arrival here, I believe he was immediately put in charge of his office, but as the duties of it were not defined to him, he became anxious about the *Twaleeut*, and with reference to the Wuqf deed and the sacred nature of the obligation for the performances of which he had become the agent, he wrote a letter to the Sudder Board of Revenue, couched in the most respectful terms, and sent the same to the local agents for the purpose of being forwarded, requesting to know what he was to do, seeing, that the state of affairs at Hooglee was not such as would justify his acting consistently with the nature of his sacred office. The local agents returned him the letter with a *purwanah* directing him to address an *Urzee* to the Board as the style of a letter was below their dignity. Thus, on the outset, Meer Keramut Ali was informed, that his was not a situation which would entitle him to any distinction, that he must rather consider himself on a level with other common individuals, and dimiss from his mind altogether that his office conferred on him any rank of society. But Meer Keramut Ali knew better, being versed in the history of his country, and acquainted with its laws and customs, and moreover having the advantage of extensive travelling, he knew the respectable light in which a Mootawallee of a religious benefice is held in society; he therefore felt reluctant, that in his person that office should suffer any degradation as his subsequent communications fully prove. But he felt justly indignant, that after bringing him from a situation where he had enjoyed much respectability under the promise of appointing him to one of high respectability of which there was not a question, he should be so insulted and degraded. He therefore, with a dignity becoming him, but in the most respectful manner, requested that he should not be addressed in the style of *purwanahs*. In fact, his religious sacred office alone would sufficiently justify his pretensions if he were not otherwise entitled to them; but the whole tenor of his life, as I am told, has been such as to command respect from all the officers of Government who knew him. The address of a *purwanah* to a Mootawallee of a religious endowment, I believe, has never been known in this country; even the emperors of Delhi, and all the *omra*, or nobility, paid the respect due to a Mootawallee by his sacred office.

I beg you will excuse me for writing so long a letter. The matter is of high importance both as regards the sacredness of *Wuqf* property and the reverence that is due to a *Mootawallee* in charge of such *Wuqf*.

I am, Sir, your most obedient Servant,

ALOO BOOKHARA.

July 14, 1837.

To the Editor of the Bengal Hurkaru.

SIR,—We have been much gratified with the correspondence of your friends ALOO BOKHARA, FRIEND OF INDIA, and COMMON SENSE, upon the question of the *Wuqf* property of the late Hajee Mahommed Mohsin, and the Hoogly College, founded upon the funds of that property; as it is shown that a lively interest is taken in a matter which involves the rights of private property, the authority of Government, the Mahomedan Law, and matters of religion under that law.

To begin with COMMON SENSE, we shall follow the course of his letter and arguments. ALOO BOKHARA does not question the utility of English education, to the natives of India, with which COMMON SENSE sets out; it is not a question of utility but of right, whether the Government has the right of appropriating private funds to purposes of utility, which had been appropriated by the endower to purposes totally different. We are not to be deceived by the expression that, in consequence of the corruption of the Mootawallees, Government deemed it fit to apply large funds accumulated to the purposes of general education. We are not to submit to what

Government think fit, but what government has a just and legal right to dispose of general education was never thought of by the worthy Hadjee; the tenor of his will shows, that the appropriation was entirely for the benefit of his own particular sect, and for benevolent or charitable expenses for all those of his own persuasion. If the idea of general education originated in Nawab Ali Akbar Khan, it was not in accordance with the will under which he was employed; and as he was dismissed only for disobedience of orders (for he had no orders to receive, if he acted according to the will,) it may be inferred that he would not submit to the whole extent of misappropriation which the Government required.

COMMON SENSE says that the result of years of patient enquiring had been concurred in by Mahomedans quite as orthodox as Keramut Alee. This is admitting, we believe, more than he intends. Orthodoxy has always been a very suspicious term; the Soonies who consider themselves as the only orthodox Mahomedans, like the high church party who appropriate orthodoxy to themselves, would no doubt concur with Government in any thing against the Sheas, and in which they were interested, like the orthodox of all religions, in suppressing the freedom of sectarian principles and liberty of the mind.

We can only require that the will of the late Hadjee Mohsin be construed and the law expounded by the Shea doctors of theology and law, and their opinion declared, whether the purport of the will extends to any thing beyond the benefit of their particular sect, and whether upon that declared opinion, and a trial by a competent jurisdiction, Government should not resign the funds appropriated to purposes in direct opposition to the will; for we believe there are Sheas in sufficient numbers, and benefit by the endowment, and partake of the benevolence of one of their own sect.

The Hoogly College is certainly an institution of great utility and worthy of a great and good Governments if its liberality sprung from it, own resources, without encroaching upon the property and rights of any private institution. There are objects also of much greater utility. The Government may be characterized as peculiarly a revenue Government under which every rupee of revune is squeezed out of the land and other sources, no part of which contributes to meliorate the condition of the people at large, whose poverty is the chief source of crime for the repression of which, an inefficient judicial machinery is maintained at a large expense, with but little benefit to the population, whose condition most requires improvement and protection.

Being ourselves staunch Sheeas, we hope that the Sheeas will unite and persevere in asserting, maintaining, and recovering their usurped rights, if for no other reason than to show that no Government should interfere with the disposal of private rights and property.

COMMON SENSE does not show much sense in speaking of surplus funds. If every purpose specified in the will had been fully and efficiently provided for, as COMMON SENSE says, there could be no surplus funds, for all the funds arising from the endowment, were appropriated for the purposes specified in the will. If the will were carried into effect to its full and just extent, there can be no doubt that all the profits of land or other property partake of the nature of that property, and is liable to all the purpose of such property. surplus must, therefore mean nothing a *nihil nil* fit.

SHEEAS.

To the Editor of the Englishman.

SIR,—The funds for the endowment of the Hooghly College having been appropriated to that purpose by the Governor General in Council, whose authority is above all courts of law, agreeably to his construction of the will of the late pious Sheah with a long name, any attempt of the new Mootawallee to set aside the decision of the power which appointed him deserves about as much veneration from the faithful as would be due from us to an effort of the Archbishop of Canterbury to upset the measures of Henry VIII., and restore the church revenues of England to the Pope and his Babylonian woman.

Yet the motives ascribed to the excellent Syed by the *Hurkaru* and his correspondent, will doubtless obtain for him the respect of devout persons of all creeds. Nothing but conscience, we are assured,—the uncompromising monitor conscience,—sustained by an unswerving attachment to the orthodoxy of the Sheas, actuates Kurumut Alli in wishing to abolish the English College with the view of applying the money which now supports it, 'to comfort the hearts of Mussulman mendicant priests and teachers of the Koran.

I am too little skilled in theology to know exactly what is meant by *conscience and orthodoxy* among moslem divines, without referring to the commentary on them which the present Mootawallee's past life affords.

Do conscience and orthodoxy permit a tight-laced Sheah to entertain or express philosophical doubts whether the Almighty has ever taken the trouble to reveal any form of religion to man? Is it allowable to crack jokes about the ascent of Al Berak and his master to Heaven? Auditors, however, being sometimes ignorant of true religion, as well as of oriental speech, they should be cautious in trusting to their ears. But the spectacle of a scion of Fatima, the offspring of the prophet himself, guzzling wine, not 'divine loree,' I mean the veritable claret and champaigne of

Christian dogs, makes an impression which no system of rhetoric can remove from vulgar minds.

If a plain man might venture a conjecture on knotty points, I would interpret your friend of the *Hurkaru* allegorically. By 'conscience and orthodoxy,' which are so vehemently impelling KuramutAlli to cry down European education and perpetuate the mummeries of eastern learing, I suspect your contemporary, after John Bunyan's fashion, means certain learned orientalists in the flesh who prevailed on 1600 good Mussulmans, more or less, to remonstrate about two years ago against the discontinuance of stipends by which the infge nuous youth of this land used to be bribed to study Arabic.

SIMPKIN ATCHA.

To the Editor of the Bengal Hurkaur.

Sir,—In your columns of the 14th instant I met with some remarks on the subject of the Hugli *Wuqf*, copied from the "*Friend of India*" of the 10th instant. The writer of this article refers on the subject as a phenomenon that a native of India should possess integrity of character so as to be willing to give up certain gain rather than involve his conscience in a case of religious responsibility. Our friend's acquaintance with Indian Society must be very limited indeed, if he did not find more instances than one of rigid integrity. If he were to make a tour to the upper provinces, and mix with the people there upon equal terms and a friendly footing, he will, I have reason to believe, find such instances not so very rare. But I am departing from my purpose, the Hugli *Wuqf* is the matter now under discussion. Our friend approves of the conduct of both the Government as well as of Meer Kuramut Ali; of the former, because it has put its own interpretation as regards the *Wuqf* funds and their disposal; of the latter, because he strictly adheres to the rights of his own religion, and the consequent distribution of the funds as directed by the founder of the *Wuqf*. After this eulogium on both sides, he arrives at the conclusion that Government should keep the property they have thus acquired, and Meer Kuramut Ali should resign his situation if it does not correspond with his conscientious feelings. What an easy way to get over the question of the desecration of consecrated property! It is with the Mahommedan, as is the case with every other religion, to consider all works sinful except such as emanate from its faith. The Christian religion so inculcates it, for it is said, "whatever work is done without faith, it is sin." Without faith all what is done by us is but dead before God, although the work seem never so gay and glorious before man." Hence, how beneficial so ever might be the diffusion of the English language, but as it does not originate in the Mahommedan faith, it is sinful as regards that religion; consequently the Meer views the desecration of the appropriated property for his purpose as sinful. He does not question the utility of it; but he condemns it upon the principle that it should be supported at the expense of consecrated rights of a particular sect. It is fair in our friend to set bounds to the Hajee's wishes. This good man chose to give up the whole of his property in appropriation for religious purpose, then why should our friend say that the limit fixed by Government is all that is necessary. There is no limit to benevolence and works of piety. The Hadjee, had he possessed double of what he had, I dare say, would have disposed of it in the same manner; for he mentions no particular sum, he divides the whole into portions and orders their distribution accordingly. To carry their own ends it is easy for the Government to get rid of Meer Kuramut Ali and his scruples of conscience; but it is not so easy with the Meer to resign his place and abandon the cause of his faith; for in strict sense, he is called upon, in the honest discharge of his duty, as an orthodox Mahommedan, to do all in his power to prevent the misuse of the *Wuqf* property. The desecration of property consecrated to religion involves a question of the highest importance to Society and the issue of the present case must determine all future *Wuqf*. Meer Kuramut Ali having agitated the question, he is bound in honor and religion to go through all the difficulties in support of his cause. He should call upon his brethren for aid to enable him to conduct the pious office he has undertaken and while there are superior appellate courts to seek for justice, he should not tamely submit to usurpations committed even by the hand of power. His is a good cause, and besides his own religionists, he would undoubtedly find support in other honest men who may not be of his faith.

But he should first of all, I think, seek for redress from the Government; for it is not to be supposed that if Government have acted under a misinterpretation of the intentions of the Endower, that, as any other individual, they are not equally open to conviction; and if it could be proved that they have acted in error, I have not the least doubt, they will surrender the property they have taken under an erroneous impression. For this purpose the Government have only to adopt the same course as they have introduced in their Courts of law, where all subjects involving Mahommedan or Hindo law are referred to their respective doctors for illustration, and on such illustration decision generally is given. In the case under consideration, let it be asked of the *Oolmae Deen* of the Sheea sect, whether the study of the English language forms a part of the Mahommedan creed; or whether money taken from *Wuqf* funds for the purpose of disseminating the English language, can be reckoned in Mahommedan theology among "*Ukhrajat-i-Hurunah*," and let their answer decide the dispute. There is yet an easier way of coming to a point. The Hadjee's *Wuq-*

is for continuing and perpetuating certain forms of worship and modes of benevolent expenditures, which all along existed in his family. He does not direct the introduction of any thing new, but simply directs in his will to *continue and perpetuate that which already existed*; hence, as the study of the English language did not exist then, it should not exist now. Under these circumstances the existence of the Hugli College should depend for its vitality on the treasury of Government, and not upon the funds of the *Wuqf*.

I am, Sir, your obedient servant,

ALOO BOOKHARA.

17*th July*, 1837

To the Editor of the Bengal Hurkaru.

Sir,— I have observed in your paper and also in the *Bengal Herald*, of certain dates, some correspondence regarding the recent appointment of Keramut Ali to the office of Mootawalli of the Imambarrah at Hugli and of his raising a very intricate question of law, relative to the disposition of the incomes of the zemindaries left by the late Hadji Mohummud Moshin, the endower of the Hugli College: and that certain constructions having been put on the last Deed of Appropriation executed by the late Hadji in order to carry it into effect after his demise, have given rise to a very difficult interpretation upon which the whole property now stands. The term Ukhrajat-i-Husna having been used in the said Deed, on the part of the advocates of Hugli College these words are interpreted benevolent expenditures, while on the side of the Mahomedans these words are said to signify benevolent expenditures, but connected with religious matters. However having observed the authenticated copy of the said Deed of Appropriation published in the *Hurkaru*, and also the decision of the Court of Sudder Dewannny Adawlut in the Imambarrah matter, I beg to observe that the words Ukhrajat-i-Husna used by the late Hadji, would, I believe, be a matter of no consequence in the present case; but at the conclusion of the said Deed he expressly authorizes the Mootawallis to divide the nett income of his estate into nine shares and appropriate them in manner following; that is to say, three-ninths were directed to be appropriated for the Fatiha of Huzrat Syud Ruhmut, (Head of the creation) the expenditures appertaining to the Ushra of Mohurrum oolhurum, and all other blessed days of feasts and festivals, and the preservation of the Imambarrah at Hugli, and Tomb of Salahuddin Mahommed, the husband of the Hadji's half sister, Manugan, from whom he had inherited: two ninths were assigned for the support of the Mootawallis, and four-ninths were assigned for the Office Bearers of the *Imambarah* and certain persons named in a list. Shakir Ali Khan and Rajub Ali were appointed Mootawallis with authorities to alter and remodel the expenditures, allowances, pensions &c. The Hadji died on the 10th Agan 1219, and the Mootawallis or Curators aforenamed took the burden of the management of the said zemindaries upon themselves. Some of the successors of the said Mootawallis having employed frauds in the discharge of the duties imposed upon them, they were from thence superseded and displaced. When the estates were committed in the hands of the Collectors, Akbar Ally was appointed a sole Mootawalli, but nominal, since that period, the Collectors of Revenue are in the receipt of the rents, issued and profits, of several zemindaries on behalf of Government, and our benevolent Government is now indeed employing the utmost of their exertions to apply the most part of the sum towards the benevolent purpose, but it is certainly quite at variance with the will of the late Hadji, it is indeed injustice to the deceased. However, if it is to be said on behalf of the advocates of the Hugli College, that they are spending the incomes towards benevolent purposes, such as educating the poor whose circumstances do not afford them any means whatsoever, I beg to say it is indeed benevolent, but what justice would there be in the means of one party and grant them to another. The last will of the deceased indeed authorizes the Mootawallis to apply the proceeds of his lands in the benevolent purposes in which situation our Government now is. I believe the said Kerammut is nominal. The endower has expressly declared to divide the income into nine parts, or proportions, and apply them to the purposes as I stated above and that this was also confirmed by the superior tribunals when the descendants of the original Mootawallis were in ligitation with Government. Mr. Editor, if the intentions of the endower was to appropriate some parts of the above income towards education, he would have no doubt made some express provisions for it, or else would have directed to appropriate some parts or divisions out of the said nine shares; however it appears upon the face of the Deeds itself, that such his intention was not; although if the continuation of the Hugli College would be advisable to perpetuate for educating and ameliorating our countrymen in the rudiments of the English language, our most benevolent Government could easily appropriate a little out of the immense revenue, which they receive from India: of course the Indians have a right to call for such purpose. However, I beg to say that it is the duty of our Rulers to take the last Deed of the deceased into their deliberate consideration, and issue such orders as to carry the intentions of the late Hadji legally and lawfully into effect according to the Mahomedan law.

I remain, Sir, your most obdt. Servt.

A BARRISTER'S CLERK.

Chinsurah, 18th July, 1837.

Sketch of the origin and nature of the Imambarrah Trust, and of various proceedings relative to the establishment of the College of Mahomed Mohsin, with some remarks on the subject.

The Imambarrah at Hugli was built by Mirzah Suladdin Mahommed who possessed considerable landed property at that place and in Jessore. After his death and that of his widow, Mann Jan, her half brother, Hadji Mahommed, succeeded to the property. The Hadji had no issue nor any relations to whom he could devise the property, and he therefore, by his will, directed it to be disposed of in the following manner:—

1st. Shakir Ali Khan and Rajib Al Khan to be Mootawallis or Curators of the estate.

2nd. Three-ninths of the net income to be allotted for the support of the Imambarrah and the preservation of the tombs of the founder's sister-in-law and her husband, and for the performance of the prayers.

3d. Four-ninths of the net income to be appropriated to the support of office bearers and certain persons named in a list.

4th. Two-ninths to be assigned to the support of the Curators, who were authorized to alter and remodel the expenses, allowance and pensions and to appoint Curators to succeed, choosing the most worthy. The Mootawallis received charge of the property immediately after the execution of the will, and were conducting the affairs of the Trust at the time of the Hadji's death, which happened in Bysak 1219 or April 1812.

In consequence of numerous complaints made to the Local Agents and the Board of Revenue against the Mootawallis, charging them with abusing their trust, the Board in November 1815, acting under Regulation No. 19 of 1810, which invests it with the general control of endowments, with the sanction of Government, appointed Akber Ali Khan, visitor, to report on the subject and check the curators in the management of their trust. Enquiries were also instituted by three successive collectors of Jessore and by the local agents. The result of these repeated investigations was, that the Board pronounced the said curators "*entirely devoid of every principle of justice and integrity*," and that in the managements of the endowments and trust funds their conduct had been "unauthorized, unwarrantable and profligate." The Board in consequence, on the 12th September 1817, directed that these curators should be removed, and declared Panker Ali and Wasik Ali the heir of Rajib Ali ineligible to succeed to the displaced curators, on two grounds; first that the founder never designed unconditional inheritance; and secondly, that the relations of the Mootawallis had disqualified themselves by their participation in the nefarious transactions which had been detected.

Wasik Ali instituted a suit to recover the office of Curator, first in the zillah court of Hugli; and subsequently by appeal, first to the Calcutta Court of Appeal and next in Sudder Dewanny Adawlut, where, in the beginning of 1834, a decree was pronounced against him as a participator in the abuses of the endowment.

The Mootawallis having thus been pronounced disqualified, Government by Mahommedan law became sole curator of the Trust estate and of any surplus funds which their good management might create and after due enquiries had been made, they sanctioned the appointment by the Board of Revenue of Akbar Ali Khan to be Aumeen or Supervisor of the Trust and subsequently to be Mootawalli.

Previous to the appointment of Akbar Ali Khan, none of the benevolent intentions of the founder had been efficiently fulfilled. Even then, however, there had been a school, and an Akund and a Munshi had been appointed to instruct the children of the pensioners, but owing to their utter neglect of that duty for several years, they were discharged.

When the endowment came under the management of the Local Agents, they in 1817 issued an order that all persons connected with the institution should send their children to the school; and also suggested to the Board of Revenue that a small sum from the funds of the trust should be set apart for a Madrussa. The Board approved of the suggestion and in reply observed, that a 3-9th share might then be understood to be appropriated "to the *Futeha*, the ceremonies of the Mohurrum, the repairs of public buildings, and the establishment of the school and hospital."

In 1821 the Syudpore Trust estate was, at the recommendation of the Governor-General, sold out in small lots as *putnee* talooks, and the proceeds, amounting to several lakhs of rupees, invested in Company's paper; but one Mirzah Bundeh Ali having claimed the whole estate as an adopted son of Manu Jan Khanum, the sum thus invested was allowed to accumulate pending the decision on his claim. His suit, after being carried through all the local Courts, was appealed to the Privy Council and finally dismissed.

From the period of the settlement of the Putnee talooks the revenue derived from the Syudpore estate was managed by the Collectors of Jessore and the proceeds remitted regularly to the Collector of Hugli to be paid over for the purposes of the trust, and the Mootawalli's duties were limited to the management of the Imamharrah, subject to the control of the local agents, to whom he was required by especial orders of the Board of Revenue to transmit periodical accounts.

In 1824 the Mootawalli proposed to increase the establishment by about 6000 rupees per

annum for the purpose of retaining masters to teach Arabic, Persian *Bengaly* and *English*, and a Librarian, and also to provide a sum for diet allowance and rewards. The Board of Revenue assented to this arrangement in May 1824, and the school so established, continued with slight modifications of arrangement and locality up to the period of the establishment of the present College.

The final decision against Mirza Bundeh Ali's claim having removed the only obstacle which had existed to the appropriation of the larger surplus funds, the Government in 1826 directed the Committee of Public Instruction to enquire into the best mode of appropriating these funds, and Mr. Smyth, then judge of Hugli, was requested by that Committee to report on the state and resources of the endowment, and to offer such remarks and suggestions on the subject as might occur to him. That gentleman, in his reply, urged the importance of placing the Madrussa under the more active supervision of the Presidency Committee, and of introducing, new and efficient regulations with a view to increase the charater and reputation of the institution as a place of public education,—measures which he considered to be in perfect consonance with the benevolent intentions of the founder and calculated to render the endowment, the funds which were now frittered away on idle, thankless beings, a real advantage to the native community at large,

In a letter dated 6th July 1830, from the Acting Secretary to Government to the Board of Revenue, it is suggested that the best and most obvious means of perpetuating the name of the founder of the Trust, would be the establishment of a Madrussa in which Mahommedan learning only, might at first be taught; "but which at no distant period, it might be hoped would willingly receive the solid advantages of European science."

The Committee of Public Instruction, in reporting on the best means of carying into effect the suggestion of the Government remark, that the circumstances of the bequest and the religion of the Testator indicate the general character the proposed establishment should bear, they do not conceive it necessary, even at the outset, to limit the objects of the institution to Mahommedan literature and science only, that as *from the very funds in question*, a school of a mixed nature had been maintained, in which Arabic, Persian, Bengali and English masters had been retained, by adopting that school as the basis of a larger one, no innovation would be made nor any arrangement adopted incompatible with the impressions and feelings of the native residents of Hugli.

The Committee of Public Instruction, however, considered it necessary before they came to a final decision on the subject, to have the assistance of a Local Committee with a Secretary and Superintendent to the proposed establishment, to communicate with the Presidency Committee.

A Committee consisting of the Civil Officers of the Station was accordingly appointed by Government and directed to report on the state of the Imambarah, its income and expenditure, and on the best means of carrying into effect the suggestion of Government for the establishment of a Madrussa at Hughli, with the unappropriated funds of the Syudpore estate: and at their suggestion, the civil surgeon, being recommended by them as qualified for the office by his knowledge of native languages and literature, was appointed Secretary to select and arrange the voluminous papers connected with the trust and to conduct the correspondence.

On the 20th of May 1832, the local committee, consisting of Messrs. Braddon, W. H. Belli, D. C. Smyth, H. Brownlow and Nowab Akber Ali Khan, forwarded their report, which from the intelligence, experience and local information of its members, is entitled to the utmost respect.

From that report it appears that the resources of the Trust derived from two source, the Syudpore estate and other landed property, and the sum realized by the sale of the Putnee talooks, taken at an average of three years, were then as follows:—

Syudpore Estate, &c.

Surplus profits of the Syudpore estate (after the payment of the Government demand of Sa. Rs. 87,366,) at an average of three years.	47,880	15
Derived from bazaars, &c	719	8
Miscellaneous receipts, &c	1,711	9
Sa. Rs.	50,311	0
Proceeds of Putnee talooks up to 21st July, 1831, ...	7,04,710	14

The following was then the expenditure:—

Two-ninth Share.

The Mootawalli's portion authorized by the Toulutnameh or will..	7,255	12

Three-ninth Share.

Disbursed for the Mohurrum, the repair of buildings, charities, prayers, and other holy-offices according to the will, ...	12,078	0

Four-ninth Share.

Disbursed for the payment of the salaries, &c., according to the will, ...	16,147	15
Three-ninth and Four-ninth Shares indiscriminately.		
Madrussa expences, ...	5,565	6
Hospital expences, ...	2,304	
Musaffurkhana expences,.	1,094	

Authorized by the Board of Revenue.

Three-ninth and Four-ninth shares miscellaneous disbursements, ...	3,106

The Local Committee, in the Report referred to, next suggest the expediency of seizing the occasion of these changes to lay down some general principles and rules for the guidance of the Mootawalli, in the admission of pensioners and the payment of monies in charity, the details of which were not of course to be found in the will. After adverting to the evils which had arisen from the want of any such definite rules, and submitting the opinion of the Collector, one of the Members, that it would be far more advantageous that the whole functions of the Local Agency should be vested in the Committee, the report thus proceeds :—

"Having thus succinctly explained to your Committee the present condition of and the control exercised over the Imambarrah, its income and expenditure, we proceed to offer our opinion as to the expense, which it will be necessary to incur in order to endow a Madrussah with the unappropriated funds of the Syudpore estate.

In submitting our views on this subject to your Committee, we conclude that it is the intention of Government, in appropriating these surplus funds, to adhere as strictly as circumstances will permit to the original intention of the founder, and without deviating from the general tenor of the Towleutnameh, so to blend the whole, that lucid order, enlarged charity, and continuous benefit, may be conspicuous throughtout the institution.

Under this impression, therefore, we would beg leave to state, on a due consideration of the general tenor of the Towleutnameh, that after having had the building attached to the Imambarah placed in a proper state of repair, after having provided handsomely for the due performance of the religious ceremonies detailed in the Trust deed, and after having put aside such a fund as the experience of past years may shew to have been sufficient for the payment of the servants of the institution, and of the pensioners and stipendiaries who may appear to have just claims to the same, we see no objection whatever to the appropriation of the surplus funds, in the establishment of a College and School at Hooghly, on the general principles laid down in your letter to Government of the 27th Oct. last. No innovation will be made in the existing system, a portion of the surplus funds having been originally appropriated by the *Mootawalli himself*, for this express purpose, *and the arrangement having been* sanctioned by the *different authorities to whom he was immediately responsible and tacitly acquiesced in by all persons connected with or interested in the institution.* The judicious nomination also of a local Committee, composed of European and Native gentlemen, to superintend the College, with the appointment of a European officer of acknowledged zeal and ability to the immediate charge of the institution, acting in concert with the view of the General Committee of Public institution, will doubtless render the College in every respect, more respectable and efficient, and redound greatly we should suppose, to the credit and honor of Government.

It will be seen by this extract, that some of the most intelligent members of the service, familiar with all that related to the Imambarrah Trust, and the Nawab Mootawalli himself, were of opinion, that the establishment of a College and School at Hugli, which has been denounced as spoliation and a violation of the Trust, would not be at all inconsistent with the spirit of the benevolent views of the Testator as indicated in his will.

After the remarks above quoted, the Local Committee thus proceed :—

"As the best mode therefore of carrying the wishes of Government into execution, we would suggest that a fund should be formed, comprising in the first place the surplus profits of the lessote Estates, to which we would propose secondly to add the interest of six lakhs of rupees. The rest of the surplus funds, amounting to about 1,47,00 Rs., we would propose, should be set aside for the purpose of meeting the estimates of the new buildings.

The gross annual income of the Imambarrah would then consist of the surplus profits of the lessote Estates, say about	50,000
Interest of Government Securities	30,000
Sa Rs	80,000

This money, we would propose to divide into 9 Shares as laid down in the Trust Deed, and to appropriate the same as follows, viz.

Two-ninth Share of Sa. Rs. 17,776.

1st. To the Mootawallee one share, as by Towleutnameh or Sa. Rs..... ...	8,888
2nd To the Superintendent of the College, as by the orders of Government	3,000
3d. Unappropriated, to be disposed of as the Committee of Government may see fit, such as Law Charges, books, medals, reward, &c.	5,288
Sa. Rs.	17,776

Three-ninth Share or Sa. Rs 26,664.

1st. Expences of the Mohurrum charities, prayers, &c taken on an average of 3 years about.....	12,000
2nd. Expences of the Hospital as per enclosed estimate about.	5,000
3d. Expences of the Mussaffurkhanah as per do. do,.....	2,400
4th. Expences of the Primary and English Schools, do	6,500
5th. Unappropriated....	764
Sa. Rs.	26,664

Four-ninth Share or Sa. Rs.35,552.

1st. Salary of officers, servants and pensioners, taken on an average of 3 years about..	15,000
2d. Expences of the new College about....	20,000
3d. Unappropriated.....	552
Sa. Rs.	35,552

By proceeding in this manner, it appears to us, that the funds will be appropriated, in conformity to the wishes of the founder, and that Government in establishing this College, will not be liable to the imputation of having in any way interfered with the legitimate purpose of the surplus funds. We are induced to press this subject on the particular notice of your Committee, in consequence of an individual who claims hereditary succession to the vacant Mootawallieship, having, after being baffled in the Zillah and Provincial Court of Appeal, preferred a special appeal on this matter to the Court of

Sudder Dewanny Adawlut, and to his having moreover presented petitions to the Collector as well as to the Judge of this District, calling in question the right of Government to appropriate the funds in the manner suggested, and at once broadly stating that such appropriation is contrary to the intention of the founder Hajie Mohammed Mohsin.

The report also suggested, that in order to render the Hospital efficient, it would be placed under the charge of their Secretary, the Medical officer of the station.

In 1835 the Local Agents submitted a report, dated 1st June, regarding the origin present state, and proposed enlargement of of the Hugli Imambarrah and establishments appertaining thereto, the extension of the plan proposed by the Local Committee proportioned to the increased funds and more consonant with the existing feeling of the native community. In this report the funds derived from the Syudpore estate and other lands are stated to amount to 50,575, and the vested funds to have accumulated to nearly nine lakhs of rupees: while the disbursements at that time, are stated to be 47,642 8

The proposed extension of the plan is thus detailed :—

Proposed enlargement of the institutions attached to the Imambarrah at Hugli together, with a detail of the Establishments.

Net annual profits of the Syudpore estate and other property belonging to the Imambarrah, .	0	0		0 0 0	50 000	0 0
Two ninth Share Sa Rs 11,111 2 ..						
1st Mutawalli's Shares	5,555	1 0				
2d Secretary's salary	3 600	0 0				
3d Assistant ditto, .	1,200	0 0				
4th Turkish Writer, .	360	0 0				
5th Assistant ditto, .	111	0 0				
6th Unappropriated,	252	1 0				
			11,111	2 0		
Three-ninth share Sa. Rs 16,666 10 ..						
1st Moharrum and repairs of building	12,000	0 0				
2nd Mus-alikhanah,	2 100	0 0				
3d Unappropriated . .	2,266	10 0				
			16,666	10 0		
Four ninth shares Sa Rs 22,222 4						
1st Salaries, Pensions &c	16,147	0 0				
2d Hospital.....	5,496	0 0				
3d Unappropriated,. .	579	4 0				
			22,222	4 0		
					50,000	0 0
Surplus funds of the Syudpore estate, amounted in Feb. 1835, to Sa. Rs.. ..	8,68,781	0 0				
6 months Interest of ditto,...	22,279	8 0				
			8,91,060			
Deduct for Building College,..			1,11,069			
Capital to be left in Government Security, ...			7,50,000	8 0		
Interest of ditto at 5 per Cent,.....					37,500	0
Annual expence of the proposed Madrussa...	23,772	0 0				
Ditto ditto, English School, ...	6,4f0	0 0				
Ditto ditto, 2 Primary Schools.....	6,480	0 0				
Unappropriated,.....	838	0 0				
			37,500	0 0		
Total annual income of the Imambarrah,					87,500	

The Report after this statement furnished some interesting details of the state of education in the district, and the desire for instruction generally prevalent herein. A sketch is also given of a plan of education in the proposed College, embracing instruction in Oriental and English literature and science in general.

In a letter to the Committee of Public Instruction from Mr. Officiating Secretary Torrens, dated 8th April 1835, (Sir Charles Metcalf, Governor-General) the Committee are called on by the Governor-General to furnish a scheme of a College for general instruction, to be supported out of the funds of the Syudpore trust.

In a letter to the General Committee of Public Instruction of Mr. Secretary Prinsep's, dated, Council Chamber, 28th October 1835, after advertence to the Clause in the will of the Hadji, which gives full power to the Mutawallis to "*uphold what they think fit and to resume what they think unfit,*" there occur the following passages :—

"The Governor-General in Council deeming himself to have succeeded to the full authority and powers assigned by Hadji Mohsin to the Mootawallis, considers it to be entirely in his power to determine upon the appropriation of the funds subject of course to the condition of adhering as closely as possible to the wishes of the Testator *in points on which they have been declared.*

Now it appears that the growing income from the Jessore estates was the only fund in the Testator's contemplation, and the expences of the Imambarrah, the Mootawallis with the pensions and establishments are charged specially upon that income which is estimated by the Local Committee at Hugli to yield the sum of 45,000 rupees per annum.

The Governor-General in Council, adverting to the conditions of the will, resolves that three-ninths of the income from the Zemindaries, shall permanently be assigned for the current expences of the Imambarrah. Of the two-ninths of the income assigned to the Mootawallis, (but which are now at the disposal of Government) the Governor-General assigns one ninth to the Agent or Mootawalli appointed by Government, but he does not deem it necessary to appoint a second Mootawalli or to appropriate the second ninth share to the Co-Trustee nominated in the original will. This ninth, therefore, will be available for the general purposes, along with the surplus funds to which I shall presently advert. It may however be necessary to point out that in the above observations, the principle to be adopted is intended to be laid down rather than the particular course to be followed in respect to the present representative of the Government in the office of Mootawalli.

Again, in the same letter it is stated, that:—

"The Governor-General in Council is of opinion, that after setting apart, from this last

mentioned fund, such amount as may be necessary to provide appropriate buildings or repairing the Imambarrah and other religious edifices, if it should be found necessary to renew them, the entire remainder should be considered as a trust fund with the interest of which, the other items specified, may be appropriated to the purposes of education by the formation of a collegiate institution imparting instructions of all kinds in the higher departments of education, according to the principles heretofore explained."

In a subsequent passage of this letter, the Governor-General expresses his opinion, that under the wide latitude given for the determination of the specific uses to which any surplus funds of the estate to be appropriated, he cannot see that the assignment of the large surplus which has accumulated "to the purposes of education in the manner stated, will *be any deviation from the provisions of the deed.*

Similar views being entertained by our present Ruler, the result was the institution of the present College of Mahommud Mohsin, against which such a clamour is now raised by certain interested parties, although the Mootawalli himself is in fact the originator of the plan, he having, as has been shown, first proposed the system of general education; and although it must be obvious to every unprejudiced person, that if the first appropriation to such a purpose was justifiable, that that *extension* of which the Mootawalli approved, was fully justified by the large amount of surplus funds which had accumulated, pending the result of the different suits instituted. It may be added that among the Mahommudan population of the district no dissatisfaction with the arrangement appears to have existed until the arrival of the present Mootawalli.

On the 20th June 1836, the Government directed the dismissal of Syud Ali Akbar from his office of Mootawalli. As he has been held up to the public as an injured innocent, dismissed on mere suspicion, it may be useful to set that misrepresentation at rest by the following quotation from a letter of Government to the Revenue Board:—

> The Board have clearly shewn that the Syud Ali Akbur Khan, taking his own statement of the circumstances of the case to be correct, has disobeyed the rules specially laid down for his observance, and the clear letter and spirit of the reiterated orders of the 3d of November 1829, (of which it is proved that he received a very sufficient translation) by appropriating the accumulated proceeds of what is termed the lapsed 19th Share to the uses provided for by the proceeds of the 3-9th and 4-9th share, and the Governor concurs with the Board in opinion, that there are strong grounds for suspecting that the money avowedly taken from the lapsed 1-9th Share has not been truly accounted for by the Mootawallee in the Statement dated the 30th of April last, and signed by Mr. Collector Bell of which an Abstract is given in the margin, but has been embezzled by Syud Ali Akbur Khan. The person has been allowed ample opportunites, for explanation and defences, but what he has urged with that tendency, is altogether insufficient and unsatisfactory. His reply to the additional query, relating to the orders of the 3d of November 1829, as given in paragraph 6 of the Board's report of the 21st March last, is specially futile.
>
> Account of 1-9th Share.
>
> | | |
> |---|---|
> | Total Receipts | 23,731 |
> | Total disbursement appropriated to uses of 1-9th Share | 5,674. |
> | Do do. 4-9th Share less money, replaced | 11,247 |
> | Embezzled by late Cash-keeper | 5,299. |
> | Balance in hand | 1,513 |
> | | 23,721 |
>
> with fractions

Further, it is evident from the opening paragraphs of Mr. Blunt's Minute of the 23d of March 1829, that the conduct of the Mootawallee previously to that date, had been such as to subject him to grave suspicions of fraud. Mr. Blunt, who argues in his favor on the grounds of prior good character, and of the absence of any clear and incontestible proof of misconduct or abuse of trust, admits that the Collector of Jessore had undoubtedly brought to notice discrepancies and errors in the accounts of the establishment furnished by the Mootawallee, which at an earlier period it might have been proper to enquire into," and the Board now state, that the existence of accusations against the honesty of Ali Akber Khan, was the immediate cause of the restrictive rules framed in 1829, against which that person has since so seriously transgressed.

Under these circumstances the Governor considers it to be his duty to direct the immediate dismissal of Syud Ali Akbur Khan from the Mootawalleeship of the Imambarah at Hoogly. The Board will be pleased to direct accordingly, and to nominate a successor to the office for his Lordship's approval. Whoever may be appointed to the office ought to be required to furnish security for his faithful discharge of the pecuniary trust confined to him.

If the Board are of opinion that they can establish the fact of embezzlement against the Mootawallee now dismissed by legal evidence, or that there is any process by which they can compel him to refund to the Institution the sums which they believe him to have misappropriated, they have the Governor's license to proceed either criminally or civily against Ali Akber Khan but His Lordship apprehends, that unless other evidence than that now before Government be forthcoming, the loss which the funds of the Imambarah have sustained, is irretrievable.

About a month after Syud Ali Akbar's dismissal, Syud Zyud-ood-deen Hussein was appointed acting Mootawalli. He is of the Sheeah sect, a very intelligent young man, of a high family, of mild and gentlemanly deportment and of considerable attainments in Arabic, Persian, Hindoostanee and English literature, and has some slight knowledge of the elements of the Latin language. He is familiar with some of our best historians and poets, and takes pleasure in cultivating his mind. This gentleman performed the duties of Mootawalli for a year to the satisfaction, not only of the local Agents, but of all connected with the institution. The Moharrum of last year was conducted by him with a splendour surpassing any thing witnessed in the time of the Hadji himself, and yet at scarcely more than a moiety of the expence formerly lavished or

rather which it was pretended was lavished on that ceremony. He found the sums allowed for the Imambarrah amply sufficient for every purpose, and his distribution of them gave universal satisfaction. Syud Zyudood-deen, however, was considered too young for such an important trust, and the Board of Revenue accordingly, with the sanction of Government, appointed the present Mootawalli, Syud Keramut Ali, who was strongly recommended to them.

In the meantime the College had been established, the large house of General Perron's being appropriated to the purpose, and on the 1st August 1836, this noble institution commenced with 1,500 pupils, 250 of whom were Mohammudans, on a system embracing education in every department of Oriental and European science and Literature, except the Greek and Latin languages, without distinction of caste or creed; and with some slight fluctuations in numbers, the good work continues, and it is proposed either by the alteration of the building now used, or by the erection of a new one, to accommodate the students in an elegant structure which bearing the name of the benevolent founder, will hand it down to posterity as that of a real benefactor of his race.

The establishment of the College gave satisfaction to all classes of people; and until the new Mootawulli arrived, not a whisper of discontent was heard. He, however, has zealously laboured, it seems, to raise a clamour against the appropriation of any part of the funds to education, and especially to English education, and is desirous of having the whole surplus fund devoted to the Imambarrah. As a portion of the press has eagerly espoused his cause, and held his conduct up as an example of singular integrity, disinterestedness and moral courage in a native, it may be worth while to offer a few remarks on that subject.

It is alleged that this gentleman's religious scruples have impelled him to the extraordinary course he has adopted, and that his conscience will not allow him to witness the appropriation of any part of the accumulated surplus fund of the Syudpore estate to the purposes of education. In the first place, his conscience cannot be concerned in the matter, for he is not morally responsible for the interpretation of the will, nor is he called on to perform any duty whatever at variance with the most rigid rules of his faith; or to which he can with any show of reason pretend to have any objection on the score of religion.* He rests his opposition to the appropriation of any portion of the funds to the purpose of education chiefly on the alleged incorrectness of the interpretation of the words *Ukhrajot-i-husna*, which he maintains do not mean "benevolent expenditures," or any expenditures for any purpose whatever, not exclusively appertaining to religious offices, and to the Sheeah sect, and to that sect only. In spite of this learned quibbling, which would do no discredit to the ingenuity of a pettifogging old Bailey lawyer, the word *husna* a common word which requires no legal or logical subtilty for its interpretation, and which does, in the opinion of persons as well versed in the language as the Syed, bear the interpretation put upon it: but in point of fact, the words "benevolent expenditures" do not occur in the authenticated translation* of the will upon which Government appear to have acted. It has

* No. 122.

Seal not legible In the name of the merciful and gracious God.
Twenty first.

No 122.

Registered by me at Hooghly this ninth day of June, 1809, at the hour of three (3) under No 22, Page 90, of Book containing Deeds of Leases and other temporary transfers.

(Sd.) J. Hayes, *Registr.*

Become witness to the within contents the chief of merchants Mohammed Rezan.

(Copy.)

(Sd) W. H. Bells, *Coll.*

me with the within-ents. Aussurwoolla Khan Bahadoo

I, Hadjee Mohamed Mohsin, the son of Hadjee Fyzeewoollah, the descendant of Aga Fuzzlwoollah, an inhabitant of the Port of Hooghly, do, in a condition to perform all legal acts, of my free will and inclination, make the valid and lawful declaration.

That whereas I, the obliger, have no sons or descendants or family or kindred or relations who could become my legal heirs, and am desirous to uphold the usage of expenditures for the performance of acts of piety, such as prayers for the Huzraut and so forth (on whom rest mercy and grace) which are established in my family. Therefore, the Zamindary of the Kismut of Syudpore Etcetera appertaining to the Zillah of Jessore and the Purgunnah of Soobalall within the said Zillah, and one house within the station of Hooghly, named the Emambarry, and Emambazar and Market in the station of Hooghly, and the articles and effects of the Emambarry, agreeably to a separate Schedule, which have come to the inheritance of me, the obliger, and which I hold up to this period in my proprietory use all these together with their rights and appendages, and whatever is therein, or emanates therefrom, or is connected therewith (be it trifling or great) I do hereby consecrate in perpetuity to the special Service of God for expenditures particularized below,

Become witness. Seal in Cypher Hadje Kurreem

* The College is an entirely distinct institution, with which the Mootawalli has no concern.

been shown that they rest on other and much more important words in the will. They alone are morally and legally responsible for their interpretation of the will, and their interpretation has received the concurrence of Mahommudans of both sects, as well as of some of the most enlightened Europeans, who had no interest whatever in the misappropriation of the funds. The idea of the Syud's conscience then being concerned in the matter, is a farce, and one single fact alone, in addition to all that has been stated, will serve to shew the futility of his whole argument. That argument goes to this extent, that the application any portion of the fund to the benefit of any one *not* of the Sheea sect, or to any purpose not connected with the *Sheeah faith*, is contrary to the will and to the intentions of the benevolent Testator. This point is argued at great length, and the Soonni sect is specifically excluded from all such benefit. Now what is the fact? THAT THE HADJI HIMSELF PLACED SOONNIS ON THE LIST OF PENSIONERS, that very list annexed to the will! Moreover the Hadji himself is understood to have dispensed his charities without reference to caste or creed.

Again, if this Daniel come to judgment, rests on what is specified in the will, where does he find in it any mention for example of a *Mosafirkhana*? Yet, from the time of Hadji one has been maintained either in name or in reality. These are rather strong facts against Keraumut Ali's position.

With regard to his disinterestedness, which is so highly praised, it may be very great; but a struggle to get the controul of large funds, in association with those who have been dismissed and degraded under circumstances that might make an honorable man chary of associating with them for any purpose, is rather an equivocal mode of displaying the virtue of disinterestedness. If such a proceeding be a proof of it, we need not go far among the Native community for many examples of it.

That any moral courage is required to undertake such a struggle is a position difficult to reconcile with the argument, that the Government could not resent such a proceeding without gross tyranny and injustice. The fact is, the Syud has reckoned on having a party on his side, and on obtaining by means of clamour and possibly legal quibbles, a result which he could never hope to obtain from justice and common sense.

If the Government have misappropriated or are misappropriating the Trust, it cannot be denied that they have done so deliberately.

and having appointed Rujjub Ali Khan the descendant of Shaikh Mohammed Saddick and Sukeer Ally Khan the descendant of Ahmed Khan (who have been tried by me, the obliger, in relation to their judgment and prudence, faith and probity) as procurators thereof, I have delivered over the said consecrated property to the said two several persons, that aiding and assisting each other, in all matters, and concurring and agreeing in counsel and opinion, they go on to effectuate the purpose thereof in the manner following.

The said procurators, after liquidating the revenue to Government, will divide the remainder of the money arising from the produce of the said possessions into nine shares, three shares of which they will, in the first place, disburse, in causing prayers to be offered up for the Prophet who is the chief of mankind and the last of the Prophets, and for the holy Imaums (on the whole of whom may the favor and mercy of God rest) and for the expenses during the period of the holy Mohurrum and for all the other holy Imaums; and for the repairs of the Emambarry and the Sepulchres, and two share thereof the two proprietors will take and appropriate for their own expenses in equal portion, and four shares they will give to the officers transacting business, and to those whose names are stated in the separate sheet under the seal and signature of this signer. And in relation to the daily expences, and the allowances to persons on pay, and to men of respectability, and to Peadahs and other persons, who are now in service, the said procurators have the power, when I am no more, and *they will uphold whatever they think fit, and resume whatever they deem unfit*; and I have conferred the general superintendency on the said two persons that whenever the said procurators consider themselves unable to discharge the duties of their procuratorship, whomsoever they shall consider as most fit and proper, they may appoint as procurators and substitutes in their steads.

Wherefore, these words are executed and delivered in the nature of an obligation to be binding in the time of need.

Written this ninth (9th) day of the month of Bysack Hijree year 1221, corresponding with the Fengal year 1213, one thousand two hundred and thirteen.

Compared by NUNDLALL BOSE *Moonshee*
This Copy is agreeably to the Copy.
Written on the back year 1223.

ULUBDO AMEER UDDEEN AHMUD.
No. 24. *Actg. Record-Keeper of the Office.*

ULUBDO KERAMUT ALI *Record-Keeper of the Office.*
(On back.)
Year 1831, 7th November.

Fee paid	[Not decipherable]	3 as.
Search		4 as.
Sum of Seven Annas		7 as.

On the 7th day of the month of November, Christian year 1831, answering to the 23d day of the month of Kartick, Bengally year 1238, B. S. This is delivered to to Ramchand Sircar the Karany of Emambarrah.

English year 1831, 7th November,

SRI ESSORCHUNDER GHOSE, *Mohurer.*
Zillah Hugli,
PR. SRI RAMCHUND, *Sirear.*
Price 8 Annas.

English year 1831, 7th November,

SRI ESSORCHUNDER GHOSE, *Mohurer,*
Zillah Hugli,
PR. SRI RAMCHAND, *Sirear.*
Price 8 Annas.

[Seal not legible.]

11¼ Folios.

(A true Translation of the annexed Paper.)
No. 7978.
RAMCHAND SIRCAR, *Imambarah Writer.*

(Signed) W. D. S. SMITH, *Intr. and Translator.*
Sup. Court, 21st December, 1831.

They must, therefore, if the allegation be well founded, stand convicted of fraudulent abuse of a sacred trust; and such is in fact the charge which Keramut Ali brings against them and all who have concurred in their proceedings; and such is the charge we are called on to believe on the mere *ipse dixit* of this new light of the Sheeah sect, who, according to Connolly, on one occasion, found his conscience so accommodating as to admit of his leading Soonni prayers and, cursing Ali with right good will. The charge is about as true as that which he more specifically advances, that he "found the accounts of the Imambarrah, all its receipts and disbursements, in a state of confusion and ruin." The fact is, that that control which he is struggling to overthrow, redeemed them from such a state of ruin and from the grasp of that corruption which he indirectly defends by bewailing the fate of those who practised it.

It is unnecessary to say more on this last subject, the public have now the means of judging how far the conduct described is deserving of the countenance of that authority whose orders it violates and whose conduct it impugns.

The public may also decide for themselves, whether it is or is not "fully clear that* English is of no use to the Natives of India." or whether instruction in that language, is likely or not to be a benefit to Mahomedans as well as other Natives at a time when it is becoming the language of the Courts and of public business, and when the path of preferment is opening to them in common with all other subjects, without distinction of caste or creed. They may judge for themselves also, whether a hospital in which 6,000 patients have been relieved by European skill within three months, is or is not more beneficial than one which existed only in name as an excuse for expenditure. Still if these institutions be, as is contended, incompatible with the intentions of the Testator and the provisions of the will, if all who have investigated the subject for many years without a motive to bias them to wrong, are in error, and Keramut Ali, who has only now come to the investigation be right, then down with College and Hospital at once, let them not exist an hour even though the result should be that fraud should be again triumphant and misery unrelieved.

To the Editor of the Bengal Hurkaru.

SIR,—If any further proof were needed of the rottenness of that cause which your correspondent SHERAS espouses, it is abundantly supplied in his communication; for, unable to meet a single argument advanced by me, he is driven to the unworthy resource of misrepresenting what I have said and drawing inferences directly opposed to the fact.

My letter, to which he affects to reply, while he leaves every important point in it untouched had special reference to Keramut Ali's memorial to the Board of Revenue. In that document he broadly asserts that English education can be of no use to the natives of India.* I alluded to this opinion of his, merely as illustrative of the value of his judgment and of the extent of that learning and talent for which some of his partizans so eagerly give him credit. I have never attempted to maintain that the utility of English education could be any reason for disregarding the intentions of a testator. On the contrary, I have rested entirely on the perfect compatibility of English education with the spirit of the will and the intentions of the benevolent testator, as interpreted, not by the Government, but even by a Sheeah Mootawalli and concurred in by other Sheeas.

I have not rested *merely* on what Government thought *fit to do*; I have contended and do contend, that both morally and legally Government are fully justified in the course which they have pursued.

Your correspondent reiterates the assertion that the whole tenor of the Hadji's will "shows that the appropriation was *entirely for the benefit of his own particular sect, and for benevolent or charitable purposes of those of his own persuasion.*" I deny this assumption, and I will trouble your correspondent to reconcile it with the fact stated by me that the Hadji himself placed Soonni pensioners on the list annexed to the will and referred to therein? Soonnis are included in that list. Why do *Sheeas*, and even your friend ALOO BOKHARA, shun all reference to this fact? and why did Keramut Ali sink all mention of it? I will tell you; because they could not venture to deny it, and they dared not grapple with it, for it floors their whole argument; it proves that the Hadji's intentions were *not* of that exclusive nature which they endeavour to prove that they were.

Your correspondent says that "if the *idea* of English education orginated with Newab Akbar Ali Khan, it was not in accordance with the will." Here is a specimen of the misrepresentation by which your correspondent endeavours to diminish the force of that which he cannot answer. I did not use the word *idea*. I stated distinctly that Akbar Ali Khan first proposed the establishment of a school for English and Bengali education; the school was established in consequence, and the Hugli College is only an extension of the plan.

Your correspondent says that "Ali Akbar, if he acted according to the will, had no orders to receive."

* The man who in the present day advances such an assertion, affords thereby a proof, not merely of his ignorance, but of his impudence in setting up his individual opinion of the utility to these people of India of a language of which he knows not a word, in opposition to the general decree manifested by them to acquire it.

This assertion implies a denial of all right in the Government to interfere. Now that is going farther than ever Keramut Ali has ventured to go—unscrupulous as he appears to be in several of his assertions; for even he does not deny that in a case of proved corruption the Government had a right to displace the Curators ALOO BOKHARA admits the same. The Government did dismiss the orginal Mootawallis for proved corruption, and their decision was confirmed by the Zilla and Sudder Dewanny Courts to whom the heir of one of the displaced Mootawallis appealed to be restored to the office of Mootawalli. The Government then became, according to Mahommedan law, Mootawallis, with all the powers conferred by the will on the orginal Mootawallis.

They then appointed Akbar Ali to act under them as Mootawalli or Naib Mootawalli; and it is rather a novel doctrine that those who have the power to appoint, have no power to cotroul the appointed. Keramut Ali declared in my presence, that he was perfectly aware that he was not to have the entire controul but to act *under the orders of Government*

Your correspondent next asserts, that if Newaub Akbar Ali was dismissed for disobedience of orders, it is to be inferred that he would not submit to the whole extent of misappropriation which the governor required." A very pretty specimen of *a non sequitur*! The *fact* happens to be directly the reverse: the Government turned out Akbar Ali because *they* could not submit to *his* misappropriation, and *not because he would not submit to theirs*, but his misappropriation had nothing to do with education of any kind.

With reference to the assertion that if every purpose specified in the will were efficiently provided for, there could be no surplus funds, I shall merely remark that it only proves the writer's total ignorance of the nature of the endowment.

One word more and I have done. I have maintained that by Mahommedan law the Government succeeded to all the powers of the displaced Mootawallis; they are in fact Mootawallis, and have so declared themselves, and the person they appoint is no more *in realty* than Naib Mootawalli. Such is Keramut Ali. As Mootawallis, the Government have, by the will, full power to *uphold what they think fit and to resume what they think unfit*," why have your correspondents shirked these strong points also? I await their answer.

COMMON SENSE.

Bengal Hurkaru, July 21.]

To the Editor of the Bengal Hyrkaru.

SIR,—We have been much amused with the reply of COMMON SENSE to our letter, more from the want of temper and judgment he betrays than from the want of sense which sophistry and contradictions show, and which we now proceed to expose, without, however, being disposed to enter into a paper war to which he seems unequal.

We made no reference but to the letters of ALOO BOKHARA, the FRIEND OF INDIA, and COMMON SENSE. What COMMON SENSE's letter referred to is quite immaterial to the question. Kuramut Alee may deny that English education is of use to the natives of India; we do not deny that education of any kind is of great use, and that the Hugli College is one of great utility, but the *quid recte* does not always follow the *quid utile*. COMMON SENSE says, that he never attempted to maintain that the utility of English education could be any reason for disregarding the intentions of a testator; yet the whole tenor of his writing—for it cannot be distinguished as reasoning,—is to show, not to prove, that the utility of the Hugli College makes it consonant with the will and intentions of the testator.

We have not sufficient deference to the judgment of COMMON SENSE to admit that Government are morally, legally and fully justified in the course they have pursued, nor are we disposed to dispute the morality of any Government which is composed of mere moral mortals like ourselves. Though the *Morale* of Government may sometimes be different from that of individuals, the *Legale* we deny as fully as the justification of COMMON SENSE.

Our interpretation of the Hajee's will, in our humble opinion, though not in the superior one of COMMON SENSE, is a correct one, confirmed by many more competent to judge of it than COMMON SENSE. The fact of Soonnies being on the list of pensioners, does not invalidate that interpretation. Charity is universal and may include Christians and Hindoos and others, with the principal object of charities; but a grasping measure, which nearly excludes the principal objects of a benevolent institution founded by a benefactor of a particular sect for the support of that sect, and their faith cannot surely come under any kind of charity.

It makes no difference whether the idea, or the proposal, of a school, originated with Akbar Alee Khan; for we suppose that COMMON SENSE is sufficiently acquainted with metaphysics to know that the proposal followed the idea, and we cannot conceive any proposal that did not originate in ideas.

We still maintain that if Akbar Alee Khan acted according to the will, he had no orders to receive: Government has only the power of appointing a Mootawalli to a vacant Waqf, and dismissing him for corruption or other gross misconduct; but having appointed one, the Mootawalli is to act only upon the deed under which his appointment is conferred, and not according to the will or orders of the governing power. If the principle of interference on the part of Government were once admitted, it would destroy all security for Waqf property, and it is well known, that one of the principal

objects of a Waqf, is to secure it against the encroachments of a Government. It is the duty of a Government only to see that the Mootawallies executed all the intentions of the will under which he acts, and to controul him for corruption or misconduct, without interfering with the execution of the will. This is sufficient to show that a Government could never become Mootawallies, which would be putting property within their grasp which was intended to be secured against it.

If Government turned out Akbar Alee Khan for his mis-appropriation, they did very right; but what is to be done against the mis appropriation of Government? We are poor Sheeas and very much inclined to benefit by the few lacks of rupees of which we have been deprived by the utility of the Hugli College; for we are still convinced that there could be no surplus funds if the intentions or the will of the testator had been fully executed.

We do not submit to any thing that COMMON SENSE *maintains* at the conclusion of his reply, and his writings have tended to confirm our opinions. We have no wish to quarrel with such an irascible being as COMMON SENSE shows himself to be and who contradicts his own title, but when he attempts to reason we would recommend his doing so without allowing his irritation to subdue his judgment, for such is the nature of that "*furor brevis*;" and we shall then have a proper respect for his argumentative decisions We quarrel only about moral entities and not with physical beings.

SHEEAS.

To the Editor of the Bengal Hurkaru.

SIR,—The long account contained in your paper of the 19th instant, regarding the *Waqf* of Hajee Mohummud Mohsin, of Hugli is interesting. The writer of this article takes us to a period anterior to the *Waqf*, and tells us the name of the person who built the Imambarah. But the subject of our discussion dates from the period of the *Waqf* made by the Hajee and his appointment of the two Mootawallees, to whose honest care he entrusted the management of his *Waqf*, after making a handsome allowance to them of no less than two-ninths of the entire proceeds of the property. The narrator then goes on to say that the *Tooleent* was consigned to the charge of the Mootawallies sometime anterior to the death of the Hajee who died in April 1812. At this time, we have the Hajee's own words, that the Mootawallies of his appointment were "*tried* and approved by him, as possessing understanding, knowledge, religion and *probity*." Three years subsequent to this period, in 1815, we are told that these good men, having such high recommendations from the founder himself, were found "entirely devoid of every principle of justice and *integrity*," a strange metamorphosis in so short a time of their mental and moral qualities! The change in their disposition must have commenced much earlier, since numerous complaints were made to the Local Agents, before any inquiries were set on foot. In 1817 the Mootawallies were actually put out, on their conduct being found, as alleged, unauthorized, unjustifiable and profligate." The inquiries made about them were chiefly through the Revenue authorities and Akhbar Ali Khan; the latter was himself placed in charge of the *Tooleent after* he had given his *opinion* of the corruption of his predecessors. How these inquiries were conducted, and what were the proofs adduced for the establishment of the charges, the narrator does not mention. But as Revenue Authorities only could make out charges, it would have been satisfactory, if the same were transferred to a judicial Court for investigtion and abjudication. I believe it is opposed to every principle of justice for the accusers to sit in judgment against the accused, and pass a verdict. As the property was private, the more equitable course would have been to suspend the Mootawallies from acting and have the subject of the accusation examined by a judicial tribunal, and retain or remove them on the decision of the court; and until this was done, the whole course of the inquiries set forth by the Revenue Authorities, did not warrant their removal. We have little to do with the subsequent proceedings of the opposite party or the claim set forth by the *Mootubanna*. It is enough for our purpose to know that the Mootawallies were accused of mal-practices, or, as the narrator says, of *nefarious* conduct, and were deprived of the *Tooleent* on the verdict of their accusers. This brought the whole of the *Waqf* affairs under the management of the Government; who, instead of acting as faithful superintendents in restoring things to their original state, should they have been found to have departed from it, laid down *new* plans for the disposal of the *Waqf* funds, plans which the founder of the *Waqf* never directed; plans totally at variance with the nature of the *Waqf*. In the address of the SHEEAS, as inserted in your columns of the 17th instant, it is said that the nature of the *Waqf* was such that there could be no surplus funds, and this is fully corroborated by the tenor of the *Waqfnama* wherein these words occur," I therefore hereby bequeath, purely for the sake of God, the *whole* of the above property, with *all* its rights, immunities and privileges, whole and entire, little or much, in it, with it, or from it, and *whatever* (by way of appendage) *might arise from it*, relate or belong to it, as a permanent appropriaton for the following expenditures. Surely these words do not anticipate surplus funds; for as the SHEEAS say that any thing arising from the *Waqf* property must partake of the nature of such *Waqf*, and so did the Hajee consider it, when he says, "and whatever might arise from it. We ask then, where did the Government find the *surplus* fund which they kept back for establishing a College for the study of the English language. The *putnee* property belonged to the *Waqf*, and all profits arising from it also belonged to the *Waqf*; whence comes this surplus then I wish the narrator would explain! The assent of a few Mahommedans, or even that of Akbar Ali Khan himself,

(who by the by was rewarded with the *Tuoleent* for such assent) forms no part of the doctrine of the Mahommedan creed. We must look to their *Fooquha* and *Ooluma*, to the rituals of their faith, and to their other theological works, for the decision of so serious a question as involves the desecration of *Waqf* rights. It would be tedious to follow up the narrator through all his lengthy and elaborate explanations, nor is it necessary for the proof of the desecration to do so. I oppose the SHEFAS' address to all what the narrator has said, and if he can get out of the dilemma into which the SHEFAS have placed him, I shall deem him a mighty clever fellow; but, alas! he has not a leg to stand upon; the existence of the Hugli College and the alienation of the funds are stumbling blocks in his way. If he were to write twice as much as he has written, I fear he will still fail in succeeding to remove the obloquy with which the conduct of the Government is now stained by the desecration of consecrated rights for the purpose of advancing their own language. The scandal put upon Meer Keramut Ali is too pitiful to need a consideration, while the Meer's conduct pronounces him to be a just, conscientious, honest and disinterested man!

In conclusion, I beg to say, that instead of resorting to lengthy writings and elaborate discourses to remove the stigma now fixed on the Government, for usurping consecrated property, the easier and the only method would be for them to restore the *Waqf* to its *original* and legitimate purpose.

I am, Sir, your most obdt. Sevt,

ALOO BOOKHARA.

22*d July*, 1837.

ZEMINDARRY AND RYOTWAREE SYSTEM.

The comparative merits of the Zumindary system, as it prevails in the permanently settled provices of Bengal, Behar, and Orissa, and those of the Ryotwaree System which obtains under the presidency of Madras, present one of the most important and interesting questions in the Revenue system of India. With the features of the permanent settlement concluded by the Marquess of Cornwallis, our readers are no doubt acquainted. We shall however give a general view of them here. Prior to 1793, when the permanent settlement was made, several other settlements for different periods had been tried. At the end of each the utmost efforts were made to raise the Revenue derived from each Zumindary, until the last periodical settlement, which was decennial, and concluded on the most advantageous terms which could possibly be secured at that time. The most prominent feature of the settlement was, that the *jumma* or the revenue of each estate, and not the quantity of *zemin* or land was the basis of the contract between the Government and the farmers. The Government ascertained that each estate had yielded so much, and putting it up to the highest bidder, discovered that it could yield no more; and accordingly settled with the highest bidder, at the maximum offer. The decennial settlement thus concluded, was watched in its operation during its probationary period, and having been found advantageous was submitted for, and received the sanction of the Court of Directors. This settlement was declared permanent in 1793.

It is not our intention, on the present occasion, to enter into the relative positions in which this settlement places the Government and the Zumindars or farmers, nor to examine the respective rights of these parties: the condition of the *ryots* or the actual cultivators of the soil is the subject to which we beg to direct the attention of our readers: it is the state of this class under the permanent settlement of Bengal which we propose to compare with the condition of the same class under the *ryotwary* system of the sister presidency of Madras. The estates having, as we have stated, been farmed out to different individuals, several regulations were enacted, by virtue of a provision in the settlement to that effect, for the protection of the ryots against the undue exercise of power by the Zumindars. A *Niriknamah* or rates of rent chargeable on each description of soil was established by which the Zumindar is prevented from demanding from his ryots, more than a certain amount of rent for each description of field. For a paddy field the ryot has to pay at a certain rate, for that of a more valuable crop at a higher rate, and so on. This arrangement, whilst it guards the ryot against any unreasonable demand from the zemindar, admits of the improvement of the different fields; for if a ryot can by his industry so improve a rice field as to make it yield a more valuable crop, his own profit will be greater, whilst the profit of the Zumindar will also increase by the increased rate of rent, which the ryot will then have to pay him according to the Niriknamah.

By these regulations, so long as a ryot pays his rent regularly, the zeminder has not the power to oust him out of his lands, and give them to another; whilst the ryot, if he be dissatisfied with his Zumindar, or find the rates unfavorable, may quit his land and go to any other Zemindar he may prefer. This is the great moral check which the Zumindars under the

permanent settlement have over their conduct towards the ryots; for as there are many Zumindars near each other, the ryot has a field for selection, and chooses him from whom he expects the greatest advantages. The tyrant and the oppressor is deserted by them, and taught, by the loss which he suffers, in consequence of such desertion, the necessity of a milder and more liberal treatment of his ryots. Thus we find that, under the Zumindary System, the interest of the Zumindar is identified with that of his ryot, and the latter cannot be injured without injury to the former. Hence then a sufficient security is afforded to the ryot, his fields so long as he pays rent, are his own, and he has in his own hands the means of improving his fortune, and with industry and judicious management of rising, by degrees, even to a Zumindary. We deny not that this as well as all human institutions, is open to abuse: by taking advances, failing to pay rent, and in various other ways, the ryot may place himself in a very dependant situation on the zemindar. But it should be recollected that this would be his own voluntary act; at least there is nothing in the *system* to bring about such a state of things necessarily.

From the above brief sketch of the condition of ryots under the Zumindary System of this presidency, let us turn to the Ryotwary system of Madras. On this subject we cannot do better than quote the words of Mr. Tucker and Mr Fullarton, gentlemen intimately acquainted with the principles and working of the system:—

"My wish," says Mr Tucker, "is not to exaggerate; but when I find a system requiring a multiplicity of instruments, surveyors, and inspectors; assessors, ordinary and extraordinary; potails, curnums, tehsildars, and cutcherry servants; and when I read the description given of these officers by the most zealous advocates of the system, their periodical visitations are pictured in my imagination as the passage of a flight of locusts, devouring in their course the fruits of the earth. For such complicated details, the most select agency would be required; whereas the agency which he can command, is represented to be of the most questionable character. We do not merely require experience and honesty to execute *one great undertaking*; the work is ever beginning and never ending, and calls *for a perennial stream of intelligence and integrity*. And can it be doubted, that the people are oppressed and plundered by these multiform agents? The principle of the settlement is to take one third of the gross produce on account of government; and, in order to render the assessment moderate, Sir T. Monro proposed to grant a considerable deduction from the survey reports. But if it *be* moderate, how does it happen that the people continue in the same uniform condition of labouring peasants? Why do not the same changes take place here as in other communities? One man is industrious, economical, prudent, or fortunate; another is idle, wasteful, improvident, or unlucky. In the ordinary course of things, one should rise and the other fall: the former should, by degrees, absorp the possessions of the latter; should become rich while his neighbour remained poor; gradations in society should take place; and in the course of time, we might naturally expect to see the landlord, the yeoman, and the labourer. And what prevents this natural progression? I *should* answer, the *officers of government*. The fruits of industry are nipt in the bud. If one man produce more than his fellows there is a public servant at hand, always ready to snatch the superfluity. And wherefore, then, should the husbandman toil that a stronger may reap the produce!

"There are two other circumstances which tend to perpetuate this uniform condition. The ryots have no fixed possession; they are liable to be moved from field to field: this they sometimes do of their own accord, for the purpose of obtaining land, supposed to be more lightly assessed; at other times, the land is assinged by lot, with a view to more equal and impartial distribution of the good and the bad, among the different cultivators. But these revolutions tend to destroy all local attachment, and are evidently calculated to take away one great incentive to exertion.

"The other levelling principle is to be found in the rule, which requires that the ryot shall make good the deficiencies of his neighbour to the extent of ten per cent.; that is, to the extent, probably, of his *whole surplus earnings*. Of what avail is it that the husbandman be diligent, skillful, and successful, if *he* is to be mulcted for *his neighbour's* negligence or misfortune? A must pay the debt of B. If a village be prosperous, it matters little for the next village may have been exposed to some calamity, and, from the abundance of the one, we exact wherewithal to supply the deficiency of the other. Is it possible to fancy a system better calculated to baffle the efforts of the individual, to repress industry, to extinguish hope, and to reduce all to one common state of universal pauperism?

"To convey," says Mr. Fullarton, "to the mind of an English reader even a slight impression of the nature, operation, and results of the *ryotwar* system of revenue, connected with the judicial arrangements of 1815, must be a matter of some difficulty. Let him, in the first place, imagine the whole landed interest, that is, all the landlords of Great Britain, and even the capital farmers, at once swept away from off the face of the earth; let him imagine a cess or rent fixed on every field in the kingdom, *seldom under generally above its means of payment*; let him imagine the land so assessed lotted out to the villagers, according to the number of their cattle and ploughs, to the extent of forty or fifty acres each. Let him imagine the revenue, rated as above, leviable through the agency of a *hundred thousand revenue officers, collected or remitted at their discretion, according to their idea of the occupant's means of paying, whether from the produce of his land or his separate property*. And in order

to encourage every man to act as a spy on his neighbour, and report his means of paying, that he may eventually save himself from extra demand, let him imagine all the cultivators of a village liable at all times to separate demand, in order to make up for the failure of one or more individuals of their parish. Let him imagine collectors to every county acting under the orders of a board, on the avowed principle of destroying all competition for labour by a general equalization of assessment; seizing and sending back runaways to each other. And lastly, *let him imagine the collector the sole magistrate or justice of the peace of the country*, through the medium and instrumentality of whom alone any criminal complaint of personal grievance, suffered by the subject, can reach the superior courts. Let him imagine at the same time every subordinate officer, employed in the collection of the land revenue, to be a police officer, vested with power to fine, confine, put in the stocks, and *flog*, an inhabitant within his range, on any charge, without oath of the accuser, or sworn recorded evidence on the case. If the reader can bring his mind to contemplate such a course, he may then form some judgment of the civil administration in progress of re-introduction into the territories under the presidency of Madras; containing 125,000 square miles, and a population of twelve millions."

Although the above remarks were made some fifteen years ago, we are not aware of any change that has taken place since in this unfortunate system, to render these remarks inapplicable to the present state of things in the Madras territories. The disturbances at Mangalore which are now exciting much attention, have been, not without reason, attributed to the dissatisfied state in which ryots are under the baneful influence of the ruinous system described in the above quotations. A crisis appears to have arrived by which the attention of Government may be awakened to the miseries suffered by so many millions of their subjects. The determined opposition of sufferers will no doubt occasion an enquiry to be made into the causes of it, and representations made by the Press, we have reason to believe, will not be disregarded by those who have it in their power to remedy the evils pointed out.—*Reformer, April* 30.

To the Editor of the Bengal Hurkaru.

Sir,—You do occasionally, I am happy to see, give "the benighted presidency" the benefit of your editorial comments upon the proceedings of the Government. A few hasty remarks, therefore, upon a subject which should engage the deep attention of our rulers, may possibly not be unacceptable. The papers of the Madras Presidency are so remarkably deficient in any thing like enquiry into subjects not immediately connected with the petty details of Madras society, it is no marvel that not one of them have offered a suggestion as to the real cause of the late disturbance in Canara.

In one of your late papers you favored the public with Mr. Tucker's remarks upon the ryotwar system, and also with Mr. Fullarton's description of the details which he considers must be gone through in a district settled on ryotwar principles. Now had those two functionaries any real knowledge from their own experience of the working of the ryotwar system, or any extensive personal acquaintance, with the habits, customs, and character of the ryots, whose interests they believed they were consulting, we might attach some weight to their opinions.

If that system were one of modern date, or if it had its rise even from the experince and cogitations of a man like Sir Thomas Munro, we might possibly be justified in withholding our consent as to its peculiar adaptation to the circumstances of this country; but the ryotwar system has obtained under other names not only in the Southern Peninsula but in all the provinces under the Bengal and Bombay presidencies, and when worked out and arranged upon known and just principles, and taken under the special direction and control of a liberal and enlightend Government, it is peculiarly adapted to India: whereas under the renting zemindary or mooltazar of the Bengal and Bombay presidencies, the same system is left to be arranged between a mass of poor and needy cultivators on the one hand, and a rapacious, ignorant, and tyrannical set of landlords, or rather tax renters, on the other. Now I ask from whom are the ryots, the actual holders and cultivators of the soil, to expect most mercy or consideration? In order to make any settlement with the people some of the details mentioned by Mr. Fullarton must be gone into. The only question is, shall those details be undertaken by the Government and its paid and responsible agents, or by the irresponsible and unpaid agency of renters or zemindars? Now, I hesitate not to say that the ryot, if you will give him the option, will at once decide for the former. There can be no doubt that a direct settlement with the real owner and occupier of the soil is that which will give Government the benefit of its resources, and whatever the exigencies of the state can spare will, under that direct settlement, go back again into the channel from which we may look for increased production; whereas any relaxation of demand upon the part of the Government as in the settlement under Lord Cornwallis, was so much put into the pockets of middle men and idle zemindars to be spent by them in feeding a host of idle retainers, or buried in pagodas or tanks, and thus rendering it wholly unproductive to the state. But I did not intend to have said so much upon the adaptation of ryotwar to this country as upon the faulty administration of that system to which I attribute the late rise of the ryots in Canara and Coorg.

It is quite clear that under the ryotwar, as well as under any other system, only so much should be taken by the Government as will leave a sum in the hands of the cultivator wherewith to proceed in the cultivation of his field,

besides a surplus for accumulation; and to do this care should be taken not to give undue encouragement to the cultivation of waste land, whereby the markets are overstocked and the cultivator cannot get a fair return for his labour and stock, he consequently becomes poorer and poorer every year till at last driven to desperation he is ready to join any lawless bands which may present themselves, to plunder and reap from the accumulation of others that subsistence which the acts of his rulers has prevented him from extracting from the soil. It is just this which has, I believe, caused the disturbance in Canara, which has laid waste miles and miles of formerly cultivated plains under the Madras Government.

It is the faulty administration of the ryotwar system of which the ryots complain, and of which they must continue to complain so long as those who have the control and direction of affairs, deprecate all proposed permanent remissions and saddle the people with land for which they have no need, and to cultivate which they have not the means.

The ryotwar or any other system can never prosper unless it is administered by men conversant with the first principles of national economy, and who look beyond the present day and proceed upon the assumption that all assistance which the Government can give now in the shape of light and indirect taxation will be amply repaid to it on a future day in the increased resources, energies, and capital of its landowners or ryots.

I am not aware of the precise nature of the instructions under which the Collectors of the Madras Presidency act; but I have been given understand that while the demand has remained the same, the Collectors year by year have been on the decrease. The best proof of the soundness of any revenue administration must be its punctual realization of the fixed assessment, and that not for a short time but for a course of years.

The great error in the present system, and that which causes the insupportable pressure to be felt by the people, is the erroneous view of those who have imagined that the ryot is capable of cultivating or paying the tax upon the same quantity of land from year to year. It is this which has led to the impoverishment of the great body of landed proprietors, and which, had Sir Thomas Munro lived to see the general working of his own * rules, he would have been the first to correct by limiting the annual demand to the real capability of the payers and not regulating it *by the exigencies of the state*, the *eagerness of native Collectors* in the provinces, or *by an average of former years.* If you, Mr. Editor, could gain the attention of men in authority as to the real cause of the present impoverished state of the landowners or ryots of India, my labour will not be lost, and your paper will have been the means of a great public benefit.

I am, Sir, your most obedient Servant,

June, 1837. *A RYOT.*

P S.—Since writing the above, I find from the Madras papers that the pretender in Canara has given us the real cause of the disturbances there, the oppression of the people by Government officers.

*Loans of money by Government to bankrupt farmers, the relinquishment of land only upon conditions, tantamount to prohibition, and annual abatements of the fixed assessment in the shape of remissions.

THE TENASSERIM PROVINCES.

All professional travellers and tourists, who have set out for the different parts of the wide world with the intention to give to posterity the benefit of their unique observations, were well furnished with portfolios of all sizes and descriptions, and beginning with a sea voyage, had much time to ruminate and to arrange their observations. They faithfully noted down every little accident which happened to them during that very uninteresting and monotonous period; but they imagined it to be exquisitely beautiful, because it was new, and there did not remain one phænomenon which was not spoken of largely and repeatedly.

What the celebrated Malaspina, Cook, Foster, and Humboldt acutely investigated,—what Chamisso in lovely verses sang, and what a host of followers in bad prose recaptulated, has no charm at the present day.

The phosphorescence of the water, the polarization of light, the flux and reflux of the tides, the colour of the sea, experiments with the chronometer, the appearence of a sea weed in remote regions, distant from every shore,—all these are problems which have already gone through too many hypotheses.

Meteorological observations are considered tedious; fish catching and shark hooking have had their admirers; sleeping turtle fishing much more; and fish spawn examinators and molluscous dissectors have done and narrated a great deal.

There remains, therefore, nothing for me to tell, and I may safely at once step over from the lower floating light at the Sandheads to Cape Negrais, or to the islands of Preparis, the two sentinels of the gulf of Martaban, where a new world begins. Not many parts are so much unknown, even to navigators, as the coast of Martaban, otherwise would Horsburgh's excellent charts not have left such a space of land as near Mergui entirely dubious or empty, which to sea geographers, is only classed with Borneo, New Guinea and parts of New Holland.

Very much indebted must be the vessels visiting Moulmein and Rangoon, to the fact that the sunken or drowned island is accurately known. It is an awful reef of rocks, just peeping out of the blue main at the entrance in the gulf of Martaban, and we were in no little danger of running upon it with our little frail craft, to return no more. Future ages will perhaps ornament this dangerous spot with a famous light house,—the present days of the dawn of civilisation in these regions, must be content if one or the other vessel does not strike against it "by chance." But probably, for ages, these beautiful countries will remain at the mercy of an unbounded nature, its forests impenetrable, and the huge elephant, the rude buffalo, and the malicious tiger, its undisturbed masters and possessors.

I no where saw the sea so much agitated by the tides as in the gulf of Martaban. Probably a greater quantity of water discharges itself into the sea than at the delta of the Ganges and Burampooter. The Persaim or Negrais, the numerous branches of the Irawaddy, the Sittum and the junction of three streams before Moulmein are noble rivers, and have all their openings into the sea not more than two degrees distant from eachother. They produce such powerful currents, that, notwithstanding that we made 6 knots an hour upon the slate northward, we were constantly driven towards the south and west.

The first view of the coast of Martaban is undoubtedly inviting. Accustomed for a long time to the monotony of the plains of Bengal, the elevated chains of the mountains appear at once, and seem to be, the too long missed friends of passed years, and their first sight, is hailed with delight. The tropic vegetation is certainly, for a new comer from Europe to Bengal, new and striking, chiefly if he arrives at the end of the monsoon; but it is an old truism that the uniformity of plains creates, after some time, both tediousness and discontent. People inhabiting hills and mountains, even if strangers, have been always happier than people of the plains. The Bengallees, whose number increases every year on this coast, either free emigrants of servants, are exceedingly astonished at the first view of the coast. The notion of a mountain does not exist in their dictionary, and they consider them to be clouds of a particular shape, as I have heard, even if quite close to the shore.

The coast is at clear weather more than fifty miles distant when visible; at least I speak of the high chains of the Martaban, the Amherst chain, the Queikri mountains, and others to this day without a current name. At this season of the year, where all is excessively foggy, the scenery bursts at once open, and the beautiful sight of Amherst town charms the new comer. Approaching the place the higher mountains disappear, and several obtuse cones with a long stretched bar at both sides, form beautiful outlines, which are covered with forest to the highest tops, and the different tinted light, produced by the varied foliage, gives to the scenery at an evening's view inimitable effect. The beauties of a tropical world are here to be admired and the enjoyment of a luxuriant, unbounded and never parched vegetation, enchants many old Indians coming from Calcutta, but chiefly from Madras.

What is called Amherst Town is scarcely seen from the vessel; all the dark brown wooden houses of the new establishment are hidden behind the variegated foliage of the trees, and only several strange looking little pagodas on the prominent parts of the beach are the guides to the navigator. Two detached Eygnaar islands are the guardians rising from the waters, to the edge of the sea, covered with gracefully bended trees of a new form and species.

The entrance into the Moulmein river is narrow and rather difficult. From the point of Amherst town, a reef of bleak rocks (at low water several feet above the surface) stretches several hundred yards straight across, and on the other side an extensive sandbank obstructs the river bar, so that the proper entrance is not more than a half mile broad. A vessel should always try to enter the river, passing the black buoy, for if laying outside, she is in danger to be driven from her anchors on the sand. The ebb and flood are so impetuously rushing out and in, that the vessel rides very unsafely and the currents are so strong that they form high waves like those agitated by the paddles of a powerful steam engine. The rush of the tides is at the intervals from 10 to 20 minutes, and the water becomes then at once turbulent and muddy like pure foam. The fishing boats, on account of those powerful tides, do not dare to go outside for fear of being entirely at the mercy of the dreadful element, the sea.

At the inside of the bar is a pretty good anchorage, though not entirely safe. Ships of great burthen do not go up to Moulmein, but take in their cargo of timber at Amherst. It is the only extensive trade hitherto carried on in these very promising provinces.

All is quiet and peaceful on shore; nothing of the bustle, the coming, going, and doing, of a stirring place; scarcely a boat is seen,—scarcely a living being walks on the solitary sea beach.

The proceeding up the river without guidance is considered very unsafe, and even small vessels, except native crafts, take an appointed pilot, which, however, is by far a less expensive necessity here than in Calcutta river. Having passed the bar, the river becomes smooth and calm, without any visible current,—the banks are low, and a good way inland, sometimes entirely under water. Trees of a minor size, densely supported by impenetrable underwood and water plant, cover the soil entirely; stunted trunks stray in all directions, great blocks of gigantic trees, palms, bamboos and numerous branches, stalks and grass, float down in the ocean, disregarded by men who live very thinly scattered, while the poor fishermen's huts are hidden behind the leaves of the bushy trees. Here and there a narrow, sharp-pointed Burmah boat hollowed out of a single trunk, glides silently along the banks; no merry song of the people enlivens the inviting scenery, the inhabitant, depressed for ages by iron despotism, does not dare to be happy and many think to this day that the present very different government is only a temporary happy illusion.

Proceeding up the river, though in many places shallow, offers no difficulty to vessels under 500 tons burthen. Several small buoys in the river make the most dangerous places sufficiently conspicuous, and there is no shifting of the sands as in the Hooghly, the river remaining, with few variations, always the same.

The Prince's island on the right bank, with its picturesque hills, appears more promi[nent] It is of considerable value, and will be more so in time. It possesses fertile plains of alluvial soil which yield rice in great quantity and of a superior quality. Generally, the Burmah rice is considered far preferable to that cultivated in Bengal; but it does not agree well with the Hindoos, of which the sepoy regiment here stationed gives a daily proof. Higher up, about 7 miles from Moulmein, is another small islet called Green Island where the river takes the last bend. Martaban, on the opposite side, with its numerous pagodas, is first visible; proceeding one mile more, Moulmein itself comes in view. The pagodas, though with respect to symmetrical lines claim very little the admiration of an architect, give every where the most prominent character to the country. Wherever a village, and much more where a town, in Buddhistical countries is met with, there are pagodas the first visible buildings; they are of all sizes, though always of the same form,—a very pointed concave pyramid on a quadrangular or sixangular base. The great Pagoda of Moulmein is considered a remarkable one, which rivals her elder sister at Martaban. With jealous eyes, look the old rulers of the country from the other side of the river over to the new settlement, which encreases rapidly every year. They have not ceased to hope that it will be again their own; unfortunately for them, the first objects which meet their sight are the cantonments where they have opportunity to see every day in full parade the fearful red jackets, a terror to the buffaloes, as they equivocally denominate them, and the time is too short to have forgotten the mischief which they experienced from these 'jackets' to make them at least prudent though not less proud and presumptuous.

Before reaching the town, several dock yards are seen dispersed along the river, and numbers of wooden skeletons peeping through the half cleared jungle are a positive proof of the intention of the inhabitants to augment their means of trade and communication.

The first appearence of the town is very odd. Nothing but wooden buildings, chiefly cottages, with thatched protruding roofs, all of brown colour; jungle and underwood from all sides; some little wooden inclosures of intended future gardens; here and there a plantain tree, with its light green broad leaves, contrasting with a few old trees, decaying under the inimical influence of clearing civilisation.—these are the signs of the commencement of human culture and remodelation.

Just so must have looked the first attempts in America to annihilate the virginity of its soil never before touched, where new cities and provinces since have risen, a transplantation of old Europe. Twelve years ago all was here a wilderness. When Sir Archibald Campbell landed at Martaban, with the intention to select a spot for the quarters of the British forces, and endeavoured to penetrate to the top of the hill which he saw from the river, the bearings of the compass were his only guide, and with sappers and miners at his disposal, he required a full day to clear the distance of one mile. Now, there exists at the same spot a city of more than 51,000 human abodes, and upwards of 51,000 inhabitants; good roads intersect it in all directions, the influence of human ingenuity and perseverance has gained the victory over an overwhelming nature; its inhabitants look out to a happy posterity with a calm assurance, and every one offers in his tongue and in his way, thanksgivings to his great maker and preserver.

The same hill from which Sir Archibald Campbell gained the first view over the country, and sagaciously pronounced the best suited spot for a new settlement, is the chief for the Buddhist worship. Very modestly built, are the houses of the differt Christian congregations,—viz. an Episcopal church, a Baptist, an Anabaptist, and a Roman Catholic chapel.

The town of Martaban is the chief market of the place; its chief commodity is vegetable, and Burmah boats partly belonging to Moulmein, partly to Martaban, glide silently in the evening on the river in all directions, and pass at high water, close under the houses which rest, all without exception, upon a foundation of wooden posts, which give them a very strange appearance. There are at present at Moulmein very few vessels, chiefly

very small native schooners, trading along the coast with Rangoon, Tavoy, Penang, and Singapore, besides some brigs and sometimes barks, plying between this place and Calcutta or Madras. Recently, timber has been also exported to the Isle of France.

Coming on land, the lower vegetation at this season is rather scanty, all the grass entirely burnt, the trees casting their leaves, and, though the thermometer in the middle of the day rose to 87 degrees, Fahr., yet the time was the true winter, when nature's productions repose from their yearly exertions.

Mr. Blundell's, the commissioner's, residence, is considered the most finished in the place; it is exactly like the others in Burmah Chinese style, entirely composed of wood, elevated on posts above the ground, to leave a free passage to the pouring water during the moonsoon, with a projecting roof supported by wooden pillars, forming a kind of outside verandah. But this, (as are the greatest part of the houses, though looking very unpromising from the outside,) is exceedingly comfortable and undoubtedly very well adapted to the country and climate. All windows are open, and forming the greatest part of the walls; such a house is rather to be called an airy cage than a solid mansion. Some of the houses inhabited by Europeans, are even made only from bamboo and reeds. Notwithstanding this, the greatest part of the gentlemen and ladies seem to be very happy, and like the country and the people. The usual complaints that India, with all its Asiatic luxury, is only a splendid exile, never from the topics of a general conversation, and the only repeated complaint was that potatoes are exceedingly scarce, and that the communications with other parts of the world are too frequently interrupted, and letters from Europe do not arrive for months. The reason is, that the military gentlemen are from the Madras presidency, whence vessels are much scarcer than from Calcutta. The climate must undoubtedly be better than in any part of India, and the place ought to be strongly recommended as a place of recreation and restoration of health to the valetudinarian. Nobody is afraid of the sun, and every body walks even in the middle of the day without a chatta. The best proof of the salubrity of the climate is H. M. 62d Regiment, which, out of 670 men here stationed, has at present only 28 men in the hospital, the greatest part merely with trifling and external diseases, and the hospital was twice entirely closed.

The greatest curiosity of Moulmein, is the abovementioned pagoda on the elevated hill behind the towns. It is a charming place, from where the most beautiful panorama of the country is to be seen. The place of worship is an aggregation of pagodas of all sizes, the largest in the centre. There is such a number of idols, incarnations, ministers of the gods, probably saints, higher and lower attendants, of all ages and shapes, that only the chief ones enjoy the prerogative of a separate abode; the others are apparently promiscuously crowded together in several poorly looking wooden shops. Amongst them is a young gentleman of an enormous size in demigrecian costume, stretched on a couch, leaning on his hand; he is holding a palaver with a host of figures, who approach him in a kneeling position, with folded hands. All these images are formed from white clay, the outside of a kind of enamel and seem to be partly of Caucasian, partly of the Mogul races, but all distinguished by very long ears, a mark of beauty amongst the Burmese. Their colour is chiefly dead white, some are black, and I suppose they are evil demons, for they have exceedingly wild and grinning features; only few are entirely gilded.

The system of toleration is happily introduced amongst the Buddhists, and they are not at all particular about their gods, so as to keep them mysteriously shut up. My guide was a Burmese, and he was the first who opened those shops and shewed me every thing without reserve or apprehension. Not a single soul was at that hour there; the new and the full moon are the times when all Burmahs wrapped in their best clothes; pilgrimage to this holy shrine to offer their prayers, and I am told they are very pious. Round the hill are different curious standards of the Burmese and Chinese fashion, long narrow strips of cloth fantastically cut out. Such a standard is always met with, where a holy place stands, at the abodes of their yellow clothed priests or monks, at holy sources, where wonderful figures with birds' faces form the ornamental statues, and at other mausoleums, where dogs with long beaks, represent their guardians.

The cantonments are an open, well-cleared place, separated from the town. Opposite to Martaban town 250 years ago, at least so says tradition, there was a considerable town at the same spot founded and inhabited by the Siamese, and the place of the cantonments was a large fort. The remains of a deep trench, made unquestionably by artificial means, seems to corroborate their opinion.

For the past four years, Moulmein has become the place of transportation for convicts from Bengal and Madras. Their number amounts at present to about 800. The place will, perhaps, in time, be a penal settlement, somewhat resembling New South Wales. The transportation of criminals has undoubtedly proved useful to the inhabitants, and beneficial to themselves. The price of labour is excessively dear; the Burmese are an independent race, who do not like to work for Europeans. Rice, and some spontaneously growing leaves and berries gathered in the forests, form their principal food. A house of bamboo is built in the course of some days, and they know no other wants. Money has no charm for them, as they do not know how to use it, especially as they never have been tradesmen, which occupation is in Burmah confined to the princes and noblemen. Some

families came over from India with their masters; others followed, and begin now to settle themselves. At first there was great difficulty in persuading them to leave India, they did of course not know where Moulmein or Tenasserim generally were; no wonder,—many Europeans did not know!

Now being better informed, their numbers increased annually otherwise the most common necessities of life could not be got. The introduction of convicts was, therefore, very desirable.

The greatest part of the necessary Government work being finished, they are hired out to private individuals, which covers the incurring expense. They are well treated, and behave remarkably well and the famous Thugs are the mildest and most submissive class! They have unfortunately great facilities for escape. Scarcely leaving the place, the forests hide them, and the river is the frontier of the territory, which, to cross, they get easily the means; a jealous government receives them there with open arms; and a black man finds his way from Pegu to the Coast of Coromandel by land without any difficulty! That these escapes do not happen more frequently is a proof that the Thugs, in some measure, must be satisfied with their present condition, and greatly perhaps acknowledge the justice of their condemnation. A problem remains to be solved in about three years. Will not a part of those transported for seven years prefer to remain in the country? If so, and there is much reason to anticipate it, a system of colonisation on a larger scale could be introduced, which would undoubtedly prove beneficial to the country and to the government.

Englishman.] DR. HELFER.

CAPT. HANNAY'S ROUTE FROM AVA TO THE FRONTIER OF ASSAM.

From the termination of the Burmese war to the present period, the spirit of inquiry has never slept, and the most strenuous exertions have been made by the officers employed on the eastern frontier to extend our geographical knowledge to countries scarcely known but by name, and to acquire some accurate information regarding the manners, customs, and languages of the various races of men by whom they are inhabited.

The researches of Captains Bedford,* Wilcox and Neufville, and of Lieutenant Burlton in *Assam*, dispelled the mist which had previously rested on the whole of the eastern portion of that magnificent valley, and the general direction and aspect of its mountain barriers, the courses and relative size of its rivers, the habits of the innumerable tribes who dwell on the rugged summits of its mountains, or on the alluvial plains at their base, were then first made the subject of description, founded, not on the vague reports of half civilized savages, but on the personal investigations of men, whose scientific attainments enabled them to fix with precision the geographical site of every locality they visited. The journey of Wilcox and Burlton to the sources of the *Irawadi* river had proved the absence of communication between it and the great *Tsanpo* of *Thibet*, but they were unable to prosecute their examination further east; and though their researches had extended to a point not more than twenty miles distant from the meridian on which the labors of the Jesuit Missionaries in *Yunan* has been abruptly terminated, the intervening space, and great valley of the *Irawadi* still remained closed against them, and every attempt to enter either from *Assam* or *Manipur*, was defeated by the jealous vigilance of the Burmese authorities.

It is generally known that the course of the lower portion of the *Irawadi* river, or that part extending from *Rangun* to *Ava*, had been delineated by Lieut. Wood, of the Engineers, who accompanied Captain Symes on his embassy to that Court; and that the features of the surrounding country, the size of the towns, its natural productions and population, had at the same time been investigated by the accurate Buchanan. Charts of this portion of the river, extending to *Manchabu*, the capital of the great Alompra, had at a far earlier period been constructed, but the surveys were avowedly made in a manner not calculated to inspire much confidence in their accuracy, and the attention of Europe was first extensively drawn to this field of inquiry by the publication of Symes, whose exaggerated views of the civilization, power and resources of the Burmese empire were generally adopted, while the more accurate estimates of his successor Coxe were treated with comparative disregard

In the very infancy of our intercourse with the Burman empire, and when the most persevering attempts were made to obtain settlements at various points of the coast, the more remote stations on the upper portion of the *Irawadi* river not forgotten; and *Bamo* or *Bamo* was even then known as the emporium of a trade between the Burmese and Chinese, in which our aspiring merchants were most anxious to share. It is asserted that, at the commencement of the 17th century, factories were established in that neighbourhood, but the permission to remain was shortly afterwards withdrawn, and the information which it is supposed was then obtained of the surrounding country, has never been rescued from oblivion:—this is the less to be regretted as the loss has been fully compensated by

the results of recent research; and the journey of Captain Hannay, of the 40th Regiment Native Infantry, from *Ava* up the *Irawadi* river to the frontier towns of *Bamo* and *Mogaung*, has at length rendered this hitherto inaccessible region almost as well known to us as the more southern districts, through which this noble river directs its course. Many geographical points of extreme interest have been determined by the personal observation and inquiries of this meritorious officer. *Bamo* has for the first time become accurately known from the same source—much valuable information has been gained respecting the trade carried on between *Ava* and *China* in this remote corner of the *Burman* empire—the habits and localities of some of the principal tribes occupying the mountainous tracts bordering on western *Yunan* have been successfully investigated—the position of the very remarkable valley of *Hukong* has been determined—the *Pyendwen* or amber mines have for the first time been examined by the eye of European intelligence—the latitudes of the principal towns between *Ava* and *Mung khong* have been ascertained by astronomical observation with a degree of accuracy sufficient for every purpose of practical utility, and they may now be regarded as established points, from whence inquiry can radiate in every direction with a confidence which the most zealous and enlightened investigators have been hitherto unable to feel in prosecuting their researches, from the want of a few previously well determined positions at which to commence or terminate their inquiries.

To an act of aggression on the part of a *Singpho* tributary of *Ava* against a chieftain of the same clan residing under our protection, are we indebted for the opportunity of acquiring the information now gained, and the feud of two insignificant borderers may prove the immediate cause of a more intimate communication than had ever previously existed between our recently acquired possessions in *Assam* and the northern province of the *Burman* empire.

The Bisa and Dupha Gaums are the heads of two clans of Singphos, occupying the northern and southern faces of the chain of mountains, which forms a lofty barrier between *Ava* and *Assam*. The former chieftain, on our conquest of the latter country, tendered his submission and was admitted within the pale of that feudatory dependence which many other tribes of the same clan had been equally anxious to enter;—he was uniformly treated by the local authorities with great consideration, and was located at the northern foot of the *Patkoi* pass leading from *Assam* to the *Hukong* valley. Between this chieftain and the Dupha Gaum a feud had existed long previous to our assumption of the sovereignty of the country; and the latter, at the close of the year 1835, headed a party, which crossing the mountains from the Burmese province of *Hukong*, entered *Bisa*, the residence of the chief of that clan, and after ravaging and plundering the village, sealed their atrocity with the indiscriminate murder of all the inhabitants that fell into their hands. The circumstances were made known to the British Resident at the Court of *Ava*; inquiry was demanded, and security required against the recurrence of similar acts of aggression. A deputation from the capital was ordered to the Burmese frontier for the purpose of instituting the necessary investigation, and Colonel Burney, the enlightened representative of British interests at that court, failed not to avail himself of the opportunity thus unexpectedly afforded, of attaching an officer to the mission; and Captain Hannay, who then commanded his escort, was selected for the duty.

The party, consisting of the newly appointed Burmah governor of *Mogaung*, of Captain Hannay and several Burmese officers of inferior rank, with a military escort, left *Ava* on the 22nd of November, 1835, in a fleet of 31 boats of various sizes, for a part of the country which had been uniformly closed against strangers with the most jealous vigilance. "No foreigners," says Captain Hannay, "except the Chinese, are allowed to navigate the *Irawadi* above the choki of *Tsampanago*, situated about seventy miles above *Ava*; and no native of the country even is permitted to proceed above that post, excepting de license from the Government. The trade to the north of *Ava* is entirely in the hands of the Chinese, and the individuals of that nation residing at *Ava* have always been vigilant in trying to prevent any interference with their monopoly."

The mission was detained the two following days near the former capital of *Ammarapura*, to complete the quota of troops by which it was to be accompanied, and whose discipline, when they did join, was very soon found to be on a par with their honesty.

"They work their own boats," says Captain Hannay, "some of which are covered in, and others, are quite open. Their musquets (if they deserve the name) are ranged here and there throughout the boats, and are never cleaned either from rust or dust, and wet or dry they are left without any covering. Each man carries a canvass bag, which is a receptacle for all sorts of things including a few bambu cartridges. He wears a black Shan jacket and a head dress or *goung boung* of red cotton handkerchief, and thus equipped he is a complete Burmah militia man. They appear on further acquaintance to be better humoured than I at first thought them, but they are sad plunderers, and I pity the owners of the fields of pumkins or beans they come across. I have remarked that whatever a Burman boatman eats in addition to his rice, is generally stolen."

Except at *Kugyih*, where there are said to be several Christian villages, of which, however, no satisfactory information could be obtained, the progress of the mission was

unmarked by any circumstance of interest until its arrival at *Yedau*, where they entered the first *kyouk dwen*, or rocky defile, through which the river directs its course. Lower down, the extreme breadth of the stream had varied from one to two and a half miles, but here its width was contracted to less than a quarter of a mile, with a proportionate increase in the depth and velocity of the current. During the rainy season of the year, boats shoot through these narrow passes with terrific velocity, and the numerous eddies caused by the projecting rocks, add greatly to the danger of the passage. In this part of their course, the mission frequently met large rafts or bamboos descending from the *Shueli* river, and upon them, small baskets of pickled tea, brought from the hills to the south-east of that river. This tea was said to be manufactured by a race called *Palong'lue*, who are under *Momeit*. At *Tsingu*, Captain Hannay saw three native Chinese from *Thengyichu* or *Mounyen*, and several other in the service of the noblemen of the court, had accompanied the expedition from *Ava* with the view of proceeding to the *Kyauk Tsein*, or serpentine mines near the sources of the *Uru* river, west of the *Irawadi*. On the 30th of November the party left the village of *Yaden Yua*, where a perceptible change takes place in the character of the country and river. "The latter," says Captain Hanny, "from covering an extent of miles, is sometimes confined within a limit of 150 yards, without rapids or torrents, as I had expected, but almost as still as a lake. In some places its depth is very great being upwards of 10 fathoms, it winds through beautiful jungle, in which the *pipal*, *simal* trees, and bambus, are conspicuous, and it has, generally speaking, a rocky bed and banks, which last rise to a considerable height and are composed of sandstone, which varies from dark to a white and yellow color." At the next stage, is a rocky island with Pagodas on it, in the middle of the river something like the Jangurrah of the Ganges, *Thihadophua*. Captain Hannay mentions a very remarkable instance of the tameness of the fish, which are not allowed to be killed, and are found from about a mile below the village to an equal distance above.

"If rice is thrown into the water from the boat, a dozen fish, some of them as much as three or four feet long, come to the surface, not only eat the rice, but open their mouths for you to put some in it, and they will allow you to pat them on their head, which I and some of my followers actually did. Some of these fish are apparently of the same species as those called in India *gura* and *ruta*: indeed the Hindus who are with me called them by these names. The breadth of head is remarkable, and the mouth very large; they have no teeth —at least so the people told me, whom I saw feeling their mouths." This spectacle, strange as it must have appeared, was hardly more so than the adventure of the following morning when Captain Hannay "was awoke by the boatmen calling to the fish to participate in their meal."

On the 1st of December the expedition arrived at *Tsampaynago*, which has been before mentioned as the limit beyond which, even natives of the country are not permitted to proceed without an express order from the Government. The custom-house or thana is on the right bank of the river, and *Yale ayu* which is close to it, contains about 800 houses with many very handsome gilded temples.

The Myothagyi or deputy governor of the town, is also the custom officer, and a tax of 15 ticals per boat is levied on the Chinese coming from *Bamo*. Old *Tsampaynago myo* is situated at the mouth of a river which flows from *Mogout* and *Kyatpen*, and falls into the *Irawadi* immediately opposite the modern choki of that name. The sites of *Mogout* and *Kyatpen*, where some of the finest rubies of the kindom are obtained, were pointed out to Captain Hannay as lying in a direction N. 80° E. of *Tsampaynago*, and about 30 or 40 miles distant, immediately behind a very conspicuous peak called Shuen Toung, which he estimated at 3,000 feet high. The *Madara* river, as well as that of *Tsampaynago*, flows from the same mineral district which must greatly facilitate communication with it. The inhabitants of the country were unwilling or afraid to communicate any information regarding these secluded spots, and their exact locality is still a subject of conjecture. The mines are described as in a very swampy situation, and surrounded at a trifling distance by lofty hills. The three places at which the gems are principally sought, are *Mogout*, *Kyatpen* and *Loungthe*, and the principal miners are Kathays or Manipuris, with a few Chinese and Shans. The other most celebrated spot is *Momeit*, the site of which Buchanan found some difficulty in determining, but which Captain Hannay learnt was not more than two or three days' journey, or between 20 or 30 miles north of *Mogout* and *Kyatpen*. While at this place Captain Hannay says, "they heard the people who were cutting bambus in the hills, rolling bundles of them down the face of the steep. Having made a road by felling the trees, the woodmen allow bundles of 150 and 200 bambus to find their way to the bottom which they do with a noise that is heard at the distance of eight miles. They are then floated down the small river into the *Irawadi*, but this operation can only be effected during the rains." The party now began to feel the cold excessively, and its severity was greatly heightened by a strong northerly wind, which seldom subsided until the afternoon, and was particularly keen in the narrow passes or *kyouk dwens*.

Tagoung Myu, which was reached on the 5th of December, is an object of peculiar interest, as it is said to have been built by a king from Western India, whose descendants afterwards founded the kingdoms of *Prome*, *Pagan* and *Ava*. Captain Hannay found the walls of the old fort dwindled away to a mere mound, and hardly discernible from the jungle with which they were covered; but adds, "that enough is still seen to convince one that such a place did

formerly exist. The fort has evidently been parallel with the river, and is on the left bank, which is high and composed of sandstone. About half a mile inland, the remains of the inner walls run north and south, with an opening or up to the east, in which there is an appearance of a considerable ditch, which I was told is filled with water in the height of the rains. The whole has more the appearance of an old brick fort, than any thing I have seen in *Burmah*, and I should say it had been built by a people different from the present race of Burmans."

About a mile to the south of *Tagoung* are the extensive ruins of *Pagan*, which stretch as far as the eye can reach, and here Captain Hannay discovered impressions of Hindu Buddhist images, stamped upon a peculiar kind of brick composition (terra cotta,) and with inscriptions which he imagined to be written in some variety of the Deva-nagri character. The Burmese on the spot were unable to explain their nature or origin, and the learning of an aged priest proved equally incompetent to the task of deciphering them:—they were subsequently, however, submitted to some Burman antiquarians at the capital, by the Resident, whose paper on the subject and a drawing of the images appeared in the 51st No. of the Journal of the Asiatic Society.

At *Shwezi-goung*, a large pagoda among the ruins of *Tagoung*, Captain Hannay obtained an extensive view of the subjacent country, and more accurate information of the site of the celebrated mines of *Momeit* than had been practicable at an earlier period of his voyage. From these accounts it appears that the locality which is said to produce the finest rubies in the kingdom, is about forty-five or fifty miles east of *Tagoung Myu*, from whence it can be reached by a foot traveller in three or four days, and by a laden bullock in ten. A drove of these animals was just about to leave *Tagoung* for *Momeit* on Captain Hannay's arrival, and from the owners he learnt "that after selling their *ngapee* (potted fish) at *Momeit*, *Mogout* and *Kyatpen*, they proceeded to the country of the palongs, which bounds the district of *Momeit* on the east, and purchase tea, both pickled and formed into balls, a part of which is brought to *Ava*." The fish, which apparently forms the staple of the trade, is said to be of a remarkably fine discription, and is dried in a manner peculiar to *Tagoung*.

On the left bank of the river, between *Henga-myo* and *Tagoung*, the teak tree first begins to appear, and at *Kyundoung* on the opposite side, it is said that timber is found sufficiently large to form a boat from a single tree; it grows principally on the western face of the hills, at whose eastern base *Kyundoung* stands. A delay of two days at this village enabled Captain Hannay to ascend to the summit of the first range of hills, by the road which leads across them to the valley of the *Mu* river; he found it a well-beaten track and great thorough fare, by which the inhabitants of the country as far west as *Woonthe Myu*, are accustomed to convey their supplies of fish, salt and oil from *Kyundoung*, a place apparently of some trade; the bazar contained 50 shops which were large and supplied with British piece goods, uncleaned cotton, silk, and cotton Burman dresses, coarse white cloth and other articles of country manufactures. "Besides these," adds Captain Hannay, "I saw three Chinese shops, where spirits and pork were sold. The streets were crowded with people from the interior, who had come to make purchases, and amongst them were several Kadus, a race of people of a different origin from the Burmahs, and scatterd over the tract of country between this and *Mogoung*. They are most numerous in the districts of *Mauk* and *Maukat* situated on the *Meza* river,* which comes from the north and west, and runs between the *Kyundoung* range and that called the *Thegyain* range, still seven or eight miles north of our present position. Rice, being the staple of the country, is an article of barter, and is sent in considerable quantities to *Ava*. Cotton, brought from the interior, is also an article of barter, and a good deal of it is sent to *Bamo* but a part of it is made into cloth on the spot, as I saw several looms at work. Yellow and red cotton handkerchiefs of British manufacture sell here for two tiedls a pi which is about 100 per cent beyond the price at *Ava*."

To this point of their progress, no diminution in the volume of the *Irawadi* was perceptible, and the channels proved sufficiently deep for the passage of large boats, from which we may infer that all the principal feeders or affluents, which pour their tributary streams into the *Irawadi*, were still further north, and had not yet been reached. The first of any importance noticed is, the *Shu hkyoung* on the left bank of the northern branch of which flows from the Chinese frontier town of *Santa fu* called by the Burmahs *Mala santa*, and a southern branch from *Momeit*, the site of the celebrated ruby mines already noticed: the confluence of these streams is represented as occuring at the village of *Laha* about 10 miles from the *Irawadi*. Neither branch can be of any magnitude, for Captain Hannay remarks that at the point of junction with the *Irawadi*, the breadth of the *Shueli* is not more than 300 yards, and that it contained but little water, —a satisfactory proof that, this stream can have no connexion with the *Tsanpo* of *Thibet*.

At *Yebouk yua*, a day's journey above the *Shuelikkyoung*, two boats passed the party with Chinese in them from *Bamo*. "They work their boats, which are of the Burman round-shaped flat-bottomed description, and seem to be of a tolerable size, as there must have been at least twenty men in each. These boats are particularly well adapted for the navigation of the *Irawadi*, as they do not draw more than 18 inches of water."

* A small stream not more than fifty yards broad, with but little water.

On the 13th of December the party reached *Katha*, a town of some extent on the right bank of the river, containing about 400 houses, and a population whose number appears to be annually increased by large parties who come from the interior, and take up a temporary abode on the right bank of the river, and on the numerous islands and shoals in its bed, for the purpose of fishing and traffic; at the close of the season they return to their respective homes in time for the resumption of agricultural labour and a traveller ignorant of this mode of custom, which appears to be general in the upper part of the *Irawadi*, would form an exaggerated estimate of the population of the towns and villages in which they are thus temporarily congregated. "The bazar of *Katha* was well supplied with good native vegetables of various sorts, fresh and salt fish, pork sold by Chinamen, dried cocoa nuts, sugar-cane, and rice from the coarsest to the best quality, the latter selling at 15 ticals a hundred baskets." Captain Hannay also saw a small quantity of stick lac in the bazar, but it was dear, and of a description very inferior to that which is procurable at *Bonga* and is brought from the Shan territory east of *Ava*. Even at this remote spot there was a 'tolerable display' of British piece goods, but not nearly to the extent noticed at *Kyaukdoung*. Captain Hannay mentions a *Kyoung* or monastery recently erected by the Myothagi of *Katha*, as one of the most remarkable objects of the place. "It is a large wooden building covered with beautiful carved work, and situated near the river. The grounds surrounding it are extensive, and very tastefully laid out with fruit trees and flowery shrubs, amongst which I saw the Chinese rose in great plenty. The river is here confined by lofty banks not more than two furlongs apart, but the stream is very deep, and the spot appears to be a particularly favorable one for obtaining a good section of the river, the velocity of which at *Weggyh*, a village above *Katha*, Captain Hannay estimated at one mile and a half an hour, with an average depth of 18 feet. This would give a discharge of about 52,272 cubic feet per second, while that of the *Ganges* at the same season may be assumed on Rennell's authority at 80,000 feet per second, giving for both a proportion of 1 to 1.53. No satisfactory comparison can, however, be yet instituted between these magnificient rivers, for up to the present moment we are without a single section of the *Irawadi*, which could be safely assumed as the basis of a calculation sufficiently accurate for such a purpose.

At *Kyouk-gyih*, which the party reached on the 17th, they had fairly entered the remarkable curve in the *Irawadi* which had been previously represented in all our sketches of the river, and served, in the absence of more accurate information, as a point of reference, generally well known to the Burmahs and Shans. Here there is a ledge of rocks, over which the stream passes with so great a degree of rapidity, as to render it very difficult of navigation during the rains. The rocks are serpentine and the sand collected amongst them appeared to be a mixture of small garnets and iron sand. The right bank of the river, for two miles below *Kyouk-gyih*, is composed of small round stones and sand, and Captain Hannay was told that the natives wash the soil for gold.

No circumstances throughout this voyage afforded a more gratifying proof of the friendly feeling generally of the Burmese authorities, than the attentions which Captain Hannay received at every place at which they halted. Houses were erected for his accommodation at the various stages of the route, differing in no respect from those intended for the Mynwun of *Mogoung*; presents of fruit, rice, and vegetables were daily made to himself and followers, and the supposed tedium of his evenings was relieved by a band of singers and dancers, who are found at almost every town and village in the Burman empire. At *Kyouk gyih*, these attentions were shewn to a very remarkable degree by the Woon of *Mungon*, "whose civility," says Captain Hannay, "was the subject of conversation with every one in the fleet."

"Every individual has received sufficient rice and fish for two days' supply, and my boat was filled by him with all sorts of provisions, enough certainly to last myself and my followers for a week." The house of this liberal Woon, Captain Hannay describes as a very neat and comfortable dwelling, with a remarkably clean compound, in which there is a garden laid out with a great deal of taste; and, besides many articles of costly Burman household furniture, he has a number of very fine muskets and other arms." The party had now approached within a comparatively short distance of *Bamo*, and the vicinity of this celebrated mart was shewn, in more numerous villages than had been seen for several preceding days. From *Shuegu Myu* to *Bilet*, a distance of three miles, the houses appeared to extend in an uninterrupted line and *Kywun do*, the name of a celebrated island in the river, covered with 100 pagodas, is most conveniently situated between these towns, the inhabitants of which hold their principal festivals upon it, at particular seasons of the year.

Near this spot, is the entrance to the second *kyouk-dwens* the scenery of which appears to be very magnificent, and is thus described by Captain Hannay. "The river passes directly through the hills, which rise perpendicularly on both sides to the height of 400 feet; they are rocky, and of irregular and singular forms, having at the same time a sufficient number of trees on them to render the scenery very striking. One part of the range, on the right bank, rises as perpendicularly as a wall to the height of 500 feet, forming a grand and terrific precipice. This *kyouk-dwen* extends for four miles, and the hills which form it, are throughout of a rocky nature. The upper part of them appeared to be

sandstone, resting on a base of blue-colored limestone, mixed with veins of beautiful white marble; and at one spot I saw large masses of compact and foliated primitive limestone, along with calcareous spar in large pieces."

Koung toun, which the mission reached on the 20th, is said to contain about 200 houses, and is noted for the defence by its Burmese garrison, against a large invading force of Chinese during the last war between these two nations. A ditch surrounds the town, and the remains of a brick redoubt, loop-holed for arrows or musquetry are still perceptible encircling a pagoda. "This is now all that is to be seen," adds Captain Hannay, "of the old fortification, but the town is still surrounded by a double palisade of bambus with sharpe stakes placed between them." These defences are intended for the protection of the inhabitants against the Kakhyens, a tribe occupying the hills to the east, who frequently come down in small bodies for the purpose of carrying off cattle. Captain Hannay saw a great number of this tribe at *Koungtoun* where they barter their rice and cotton for salt and *gnapee*, (potted fish) and describes them, with few exceptions, as perfect savages in their appearance; their cast of countenance forms a singular exception to the general rule, for it is not at all Tartar in its shape; but they have, on the contrary, "long faces and straight noses, with a very disagreeable expression about the eyes, which was rendered still more so by their lanky black hair being brought over the forehead so as entirely to cover it and then cut straight across on a line with the eyebrows. These people, though surrounded by Shans, Burmese and Chinese, are so totally different from either, that it is difficult to imagine from whence they have had their origin."

On the 20th of December the fleet moored at a village about five miles below *Bamo*, which being a town of great importance, and the residence of an officer inferior in rank to the *Mogoung* Woon, some previous arrangements were necessary to enable the latter to land with the eclat due to his rank. On reaching the town late on the following day, they found the left bank on which it stands so precipitous, that they were compelled to cross to the opposite side of the river, and a feeling of jealousy having arisen between the two Woons of *Mogoung* and *Bamo*, the former resumed his journey on the 22nd, which compelled Captain Hannay to defer the inquiries he was so anxious to make until his return in April, when he found the people far more communicative than they had ventured to be in the presence of the *Mogoung* Woon. The information obtained on both occasions will be more advantageously shewn in a connected form than in the detached portions in which it necessarily appears in his journal, and Captain Hannay's first remark solves a difficulty, which, like the Adria of ancient history, has proved a stumbling block to modern investigation. In the course of inquiry into the sites of the principal towns on the *Irawadi* river, that a *Bamo* naturally held a very prominent place, and some of the native Shans, who were questioned on the subject, affirmed that it was on the bank of the *Irawadi* river, while others, whose opportunities of acquiring information had been equally good, positively denied this statement, and fixed its position on the left bank of a small stream which flows into the *Irawadi*, about a mile above the present town. Captain Hannay reconciles the conflicting statements, briefly but satisfactorily, in the following remark.

"I find that there is a *modern* town erected on the banks of the *Irawadi*, for the convenience of water carriage between it and *Ava*. The *old* Shan town of *Mamo*, or *Bamo*, is situated two days journey up the *Tapan* river, which falls into the *Irawadi* about a mile above the new town of *Bamo* or *Zee-thet zeit*, or new mart landing place."

"This modern town," says Captain Hannay, "is situated on high, unequal ground, and the bank towards the river is from 40 to 50 feet in height, and composed of clay. With the exception of *Ava* and *Rangun* it is the largest place I have seen in Burmah, and not excepting these places, I certainly think it the most interesting. The novelty of so large a fleet as ours passing up (and no doubt, having heard that a European officer was of the party) had attracted a great crowd of people to the river side, and on landing, I felt as if I were almost in a civilized land again, when I found myself amongst fair complexioned people, wearing jackets and trowsers, after being accustomed to the harsh features and party-colored dress of the Burmans. The people I saw were Chinese from the province of *Yunan*, and Shans from the Shan provinces subject to *China*. *Bamo* is said to contain 1,500 houses, but including several villages which join it, I should say it contained 2,000, at least 200 of which are inhabited by Chinese. Besides the permanent population of *Bamo*, there are always a great number of strangers there, Chinese, Shans, and Kakhyens, who either come to make purchases or to be hired as workmen. There are also a great number of Assamese both in the town and in the villages immediately connected with it, amongst whom are several members of the *Tapan* or *Assam* Raja's family. *Bamo* is the jaghire of the *Tapan* Raja's sister, who is one of the ladies of the king of *Ava*.

"The inhabitants of this district live in large, comfortable houses which are thatched with grass, and walls made of reeds. They are generally railed in, and all the villages have bambu palisades surrounding them. The Palongs of the Chinese frontier are, I am told, remarkably industrious. They are good dyers, carpenters and blacksmiths, and all the *dhas* or swords used in this part of the country, are made by them." "I received," adds Captain

Hannay, "great attention from the Myuwun of *Bamo* and also from the head Chinese there; they sent me tea, sugar, dried fruits, and vegetables, for which I, of course, made suitable return. The annual caravan from *China*, had not arrived, and the supply of Chinese articles in the shop was very small."

The people of *Bamo* were so strongly impressed with the idea that Captain Hannay's only object was to find a road by which British troops might penetrate to *China*, that he found it extremely difficult to obtain any information from them regarding the routes into that country. The Chinese themselves, however, proved more communicative, and from them he learnt the existence of several passes from *Bamo* into *Yunan*; but as one of these presents far greater facilities of transit than the others, it is generally adopted for commercial intercourse, and the mode of carrying it on is thus described. "At the distance two miles above *Bamo* the mouth of the *Tapan* or *Tapan* river is situated. This river has a direction N. 70 E. for about two days' course, when it cuts through the Kakhyen hills, and under these hills, old *Bamo* or *Mo-gaung* is situated. To the latter place the Chinese take their merchandise from modern *Bamo* by water and then proceed overland to the Chinese city of *Loi-le* or *Mo-hoan*, which they reach in four days, and from thence to *Momien* or *Tong-chan* in the province of *Yunan*, at which places they arrive in eight or nine days. The road from *Bamo* to *Loilan* is through a hilly country which are inhabited by Kakhyens and Palongs, who will not permit passengers to pass through the country without a guard, which is provided by the Burmans, appointed for that purpose. The road is described as being very good, at any part a thorough fare. The *Tapaung Khyoung* is not navigable for large boats in consequence of which the Chinese use two canoes tied together, with a platform over them for the transport of their merchandise to *Weimo* or *Bamo*, and for the remainder of the journey it is carried on ponies or mules."*

This description of the size of the *Tapan Khyoung* which is also called by the Shans *Nantagiaw*, completely sets at rest the keenly agitated question of its identity with the *Tsampo* of *Thibet*, and the theory of Klaproth, (who, on the authority of Chinese writers, calls it the *Punglaukhyoung*, and maintains it to be the prolongation of the *Tsampo*) is shewn to have no better foundation than his unauthorized change in the position assigned to the latter river, in that part of its course which passes through *Thibet*. Captain Hannay describes the *Taping* as not more than 150 yards broad, and with only sufficient water to float a small boat. The Singphos affirm that it is a branch of the *Shauli Khyoung* (the *Langshuekuang* of the Chinese) from which it separates above *Momien*, but the accuracy of this report appears highly questionable.

* In another place it is mentioned as only one mile above Bamo.

The principal article of trade, which is cotton, is entirely in the hands of the Chinese, who arrive at *Bamo* in the months of December and January. The greater part of their imports is taken to *Ava*, as neither the natives of *Mogaung* nor *Bamo* could afford to purchase them.* "What they dispose of here," says Captain Hannay, "are copper pots, carpets and warm jackets. These articles are also taken all over the Burman territories, as far west as the *Khyendween*. There are several cotton godowns here, belonging to the Chinese, and there are constantly residing in the town 500 of these people, which, with numerous arrivals from different parts of the country gives the place a very business-like appearance, and there is of course a good bazar. There is a very neat temple built by the Chinese of *Bamo*, which Captain Hannay visited, and was most politely received by the officiating priest. "On entering his house," says Captain Hanny, "he rose to meet me, salute me in the English fashion, asked me to sit down, and ordered his people to bring me tea; after which he sent a person with me to shew me the curiosities of the temple. Most of the figures were carved on wood, and different from what I have generally seen in Chinese temples; one of them represented the *Narsinga* of the Hindus. The Chinese of *Bamo*, although different from the maritime Chinese in language and features, have still the same idea of neatness and comfort, and their manners and mode of living appear to be much the same."

"Their temple and all the houses, which are not temporary, are substantially built of bricks stained blue; the streets are paved with the same material, and the grounds of the temple are surrounded by a neat brick wall covered with tiles." "Besides the trade carried on at *Bamo* by the Chinese, the Shans, Palongs, and Singphos under *China*, are great purchasers of salt, *ngapee*, dried fish, and rice, but particularly salt, which is in constant demand; and to procure it, numbers of the above named people come to *Bamo* from *Mogaung* and *Kountoung*. The salt which sells here for twenty treals of silver for 100 vis, or 25 rupees for 1.50 seers, is brought principally from *Shemmaga* above *Ava*, and from *Monlou*, which is situated two marches west of *Kotha*. The Shans here are distinguished by their fair complexions and broad, good-tempered faces. They wear turbans and trowsers of light-blue cotton cloth; they greatly resemble the Chinese, and from living so near that nation, many of them speak the *Yunan* Chinese language

* Translation from a Chinese list of articles imported into Bamo from Yunan.

Fur, satin, yellow silk, gold thread, gold, silver, jars, aloes, copper, arsenic, flour, brown sugar, ditto white; nails (small), waist strings, vermicelli, copper pots, tobacco pipes, tinder boxes and flints, medicinal roots, burning paper, coloured ditto, vermilion, soap, quick silver, pepper, raw silk, red cotton cloth, tea of Yunan in flat circular cakes, tea pots and prescription for the sore-eye, &c. &c.

They inhabit the country to the east of *Bamo*, and their principal towns are *Hotha*, *Latha*, *Santa*, *Sunla*, *Moongsye*, *Moong-swon*, *Moong-man*, *Moongla*, and *Moong tye*. The people are generally designated Shan Taroup or Chinese Shans."

"Although the Palongs speak the Shan, their own native language is a distinct one. The men, though small in stature, are athletic and remarkably well made. Flat noses and grey eyes are very common amongst them. They wear their hair tied in a knot on the right side of the head, and dress in a turban, jacket, and trowsers, of dark blue cloth. They are a hill people, live in the tract of country situated between *Burmah* and *China*, but those to the east of *Bamo* pay no revenue to either country, and are governed by their own Tsobnas. The Singpho traders I saw at *Bamo* were very different from those under *Burmah*, and according to their proximity to either Shans or Chinese, they assimilate to one or other in dress and language.

"The whole of these people," says Captain Hannay, "pay for every thing they requi in silver; and were it not for the restrictions in *Burmah* on the exportation of silver, I think an intelligent British merchant would find it very profitable to settle at *Bamo*; as, besides the easy intercourse with *China*, it is surrounded by numerous and industrious tribes, who would no doubt, soon acquire a taste for British manufactures, which are at present quite unknown to them. "The revenue of th district is estimated by Captain Hanny at three lakhs of rupees per annum; and he adds, "if appearance of comfort may be taken as a proof of its prosperity, the inhabitants of *Bamo* shew it in their dress and houses. have seen more gold and silver ornaments worn here than in any town in *Burma*."

On leaving *Bamo*, the appearance of the country became much more hilly, and great precautions were taken to gaurd against sur prise by the Kakhyens, who inhabited the different ranges in the vicinity of the river.

At *Hukan* the escort was reinforced by 150 soldiers from *Bamo*, and a number of families who were proceeding up the river, joined the fleet to enjoy the protection afforded by so large a convoy. The Shans who composed the quota from *Bamo* were a remarkably fine set of men from the banks of the *Tapun Khyoung*, and formed a striking contrast, in dress and appearance, to the miserable escort which had accompanied the party from *Ava*.

At the village of *Thaphan beng* they entered the [illegible] *Kyouk dwen* from which a very beautiful view is obtained of the fertile valley of *Bamo*, bounded on the east by the Kakhyen hills, which are cultivated to their summits. Serpentine and limestone were the principal rocks found in this defile, as well as the preceding one; and as the river was here in some places not more than 80 yards broad, with a depth of 30 feet, and as its rise in the rains is 50 feet above the present level, the rush of waters must at that season be terrific. The natives, indeed, declared, that the roar at that time was so great, as to prevent them from hearing each other speak, and that the defile could only then be traversed on rafts: now, however, it coursed gently along with an almost imperceptible motion.

At *Thabyebeng yua* they found a new race of people called Phwons, who described themselves as having originally come from a country to the north-east, called *Motoung Maolong*, the precise situation of which could not be ascertained. Their native language, which they speak only in intercourse with each other, differs altogether from the Shan and Burmese, but they have no written character. There appear to be two tribes of this race, distinguished by the Burmahs as the great and small:—the former are found only at *Tshenbo* and in the vicinity of the third *Kyouk-dwen*, while the inferior tribe is scattered all over the country: the only difference apparently between them consists in some trifling varieties in the dialects they speak. Their extensive cultivation proved their agricultural industry and four Chinese Shans were constantly employed in manufacturing their implements of husbandry. Their houses were of a construction totally different from any that had been previously seen, and consisted of a long thatched roof rounded at the ends and reaching almost to the ground. Inside of this and at the height of ten feet from the ground, the different apartments are formed, the walls of which are made of mat.

"From the outward appearance of these houses," says Captain Hannay, "it would be difficult to imagine that they were habitations, but inside they are very comfortable, and from the great thickness and peculiar form of the roof, the inmates cannot be much affected either by heat or cold." The same description of house is built by the Shans occupying the valley of *Kabo*, and it is probable that the Phwons have adopted this style of building from some tribe of that widely scattered nation.

On the 26th the fleet reached a part of the *Irawadi* which is considered the most dangerous point in its navigation. It is called *Pussoo*, and the stream is there confined to a breadth of 30 yards, but with no less than nine fathoms of depth in the centre. The rocks bore every appearance of fierce and irregular volcanic action, varying in color "from brown, yellow, red and green, to a jet black which shone like a looking glass." The strata also presented a scene of great confusion, some being vertical, some horizontal, and others twisted; "the whole having exactly the appearance of having been poured out from a furnace."

The navigation of the *Irawadi* river up to this point had been unmarked by difficulties of any magnitude, and with the exception of the passes through the *Kyouk-dwens*, the

channel appears to have afforded, even at that season of the year, an abundant supply of water for the largest class of boats, which ply between *Ava* and *Ba* above the village of *Namhet*, however, they first met a succession of rapids exteding for a mile and a half which were even then considered dangerous; and Captain Hannay remarks that he had seldom seen in the worst season, and worst part of the *Ganges*, a stronger current, or more turbulent water than at the rapids of *Shaegyaunmaw*, a short distance above the village of *Nàmhet*.

On the arrival of the fleet at *Tshenbo*, which is about 10 miles below the mouth of the *Magoung* river, the boats by which the party had been conveyed from *Ava* were exchanged for others of a smaller description, better adapted for the navigation of so small and tortuous a river as that of *Mogaung*. The one prepared for Captain Hannay's accommodation was of the kind called by the Burmese "*loung*:" it was paddled by 25 men, and formed of a single tree, with the addition of a plank 10 inches broad, all round the upper part of it

Before quitting *Tshenbo*, Captain Hanny had a visit from the head priest, whose curiosity to obtain some knowledge of European customs and habits could only be satisfied by the display of the contents of his trunks, and the sight of his watch, sextant, and thermometer; all of which he was permitted to examine by Captain Hannay, who regrets that he had not brought some missionary tracts with him from *Ava* "to give this inquisitive priest some idea of the Christian religion." *Tshenbo*, on the authority of this priest, is said to have been formerly a principal city of the Phwon tribe, who were dispossessed of it, about sixty years ago, by the Burmahs.

On the last day of December the mission reached the mouth of the *Mogoung* river, which Captain Hannay ascertained by observation to be in lautude 24° 6' 53. Here they were to quit the *Irawadi*, which, says Captain Hannay, "is still a fine river flowing in a reach from the eastward half a mile broad, at the rate of two miles an hour, and with a depth varying from three fathoms in the centre to two at the edge.

The *Mogoung* river on which the town of the same name is situated, is not more than 100 yards wide, and the navigation is impeded by a succession of rapids over which the stream rushes with considerable velocity. The smallest boat in the fleet was an hour and a half getting over the first of these obstacles, and the Shan boatmen, who are thoroughly acquainted with the character of the river, "pull their boats close to the rocky points, and then, using all their strength, shoot across to the opposite side before the force of the stream had time to throw them on the rocks." The Burmah boatmen adopted the apparently easier method of pulling their boats up along the edge of the stream, but this proved both difficult and dangerous, one boat being upset and a man drowned. The banks of the river were covered with a dense and impervious jungle, which extended nearly the whole way to *Mogoung*, and no village served to beguile the wearisome monotony of this portion of the journey, until they reached *Akouktoung*, a small hamlet on the right bank inhabited by Phwons and Shans. Here they met a chief of the *Laphae* Singphos, who had taken up his residence in this village with a few followers, in consequence of a feud with some neighbouring tribes in his own country to the north. Between *Akouk-yua* and *Tapoh* (the next village seen) the bed of the river is filled with rocks and rapids, which render the navigation exceedingly dangerous, the stream shooting over them with such velocity as frequently to rise above the bow of the boat, which, in case of unskilful management, would be instantly upset. The way in which the Phwons and Shans overcome these difficulties, formed a striking contrast to the conduct of the Burmah and Kathay boatmen. The former working together with life and spirit, still paid the strictest attention to the orders giving by the head boatmen; while the latter, "who think," says Captain Hannay, "that nothing can be done without noise, obey no one, as they all talk at once, and use the most abusive language to each other." He thinks the Phwons and Shans greatly superior to the Burmahs or Kathays,—meaning by the latter those Munipuris resident in *Ava*, who are Burmans in every thing but origin.

After passing the last rapids at *Tapoh* the river expands in breadth to 200 yards; the stream flows with a gentle current, and "the bed is composed of round stones which are mostly quartz. Amongst them, however, there are found massive pieces of pure crystal stone, partaking of the nature of talc, and also pieces of indurated clay of different colors. The banks are alluvial on the surface, but towards the base and near the edge of the river the soil becomes gravelly, and in some places has a stratum of beautiful bright yellow-colored clay intersecting it."

On the 5th of January the party disembarked from their boats, and as the Myo-wun was to be installed in his new government, the landing was effected with considerable state. "Arrangements," says Captain Hannay, "had been made for our reception, and on first landing we entered a temporary house where some religious ceremony was performed, part of which was the Myo-wun supplicating the spirits of three brothers who are buried here, and who founded the Shan provinces of *Khanti*, *Assam*, and *Mogoung*, to preserve him from all evil. After which ceremony he dressed himself in his robe of state, and he and I proceeded hand in hand through a street of Burman soldiers, who were posted from the landing place to the Myo-wun's house, a distance of nearly a mile: we were preceded by the Myo-wun's people carrying spears, gilt chattas, &c. and at

tervals during our walk, a man in a very tolerable voice, chaunted our praises, and the cause of our coming to *Mogoung*. Several women also joined the procession, carrying offerings of flowers and giving us their good wishes.

The Myo-wun appears to have lost no time in availing himself of the advantages of his situation, for on the very day after landing, he commenced a system of unsparing taxation to enable him to pay for his appointment. A rapid succession of governors within a very few years, all influenced by the same principle, had already reduced the inhabitants of *Mogoung* to a state closely bordering on extreme poverty, and the distress occasioned by the exactions now practised was bitterly complained of by the wretched victims of such heartless extortion. The Shan inhabitants of the town were employed by the Burmese officers to enforce this excessive payment of tribute from the Singphos and Kakhyens of the surrounding hills which had led to much ill-will on the part of the latter, by whom they are stigmatised "as the dogs of the Burmans."

"The town of *Mogoung*," says Captain Hannay, "is situated at the junction of the *Nam-ten* or *Namyang*, and the *Mogoung* or *Nuwaeng* rivers, and extends about a mile from east to west along the bank of the last named river, the west end of the town being bounded by the *Namyen-khuoung*, which comes from the district of *Hongyen* in a direction S 43 W. The town of *Mogoung*, strictly speaking, is confined within what is now only the remains of a timber stockade. Outside of this, however, there are several houses, and within a short distance a few small villages are scattered about, but even including all these, there are not more than 300 houses. Those within the stockade are inhabited by Shans, and those outside by Burmans, Phwons, Assamese and a few Chinese. The latter to the number of 50 reside here, and are under the authority of a Thoogyee of their own nation;—by they derive a profit from their countrymen who come annually in considerable numbers to purchase serpentine. Amongst them I saw both blacksmiths and carpenters, and, for the first time since leaving Gangetic India, I saw the operation performed of shoeing horses. The Shans, inside the stockade, reside in large houses, such as I formerly described having seen amongst the Phwons;—the Burmans and others live in the same description of houses as are to be seen in every part of *Burmah proper*, but all bear signs of great poverty, and if it were not for the Chinese, whose quarter of the town looks business-like and comfortable, I should say that *Mogoung* is decidedly the poorest-looking town I have seen since leaving *Ava*. There is no regular bazar, all supplies being brought from a distance, and the market people are, with few exceptions, Kakhyens and Assamese, from the neighbouring villages."

The arrival at so remote a spot of a European officer was soon bruited abroad, and Captain Hannay's time was fully occupied in answering innumerable questions put to him by a crowd of visitors, who examined his sextant with great care, under the firm conviction that by looking through it, he was enabled to perceive what was going on in distant countries:—nor would they believe that the card of his compass was not floating on water, until, to satisfy them, he had taken it to pieces. The paucity of inhabitants and poverty of the town plainly indicated the absence of extensive trade, and Captain Hannay learnt, that, including the profits derived from the sale of serpentine, the revenues of the town and neighbouring villages did not amount to more than 30,000 rupees per annum, and the Burmese authorities can only enforce the payment of tribute from the Shans of *Khamti*, and the Singphos of *Pangsau* by the presence of an armed force. In the last instance the latter, a Burmah force of 1090 men was despatched to *Mogoung*, of whom 400 were destroyed, and for ten years they had been held in salutary dread by the Burmah governors of the frontier. During his stay at *Mogoung*, Captain Hannay obtained specimens of the green stone, called by the Burmahs *kyauk tsee*, and by the Chinese *yueshi*," and which he supposes to be nephrite. "The Chinese," he says, "choose pieces which, although shewing a rough and dingy colored exterior, have a considerable interior lustre, and very often contain spots and veins of a beautiful bright apple green. These are carefully cut out, and made into ring stones and other ornaments which are worn as charms. The large masses are manufactured by them into bracelets, rings, and drinking cups, the latter being much in use amongst them, from the idea that the stone possesses medicinal virtues. All the *yueshi* taken away by the Chinese is brought from a spot five marches to the northwest of *Mogoung*, but it is found in several other parts of the country, although of an inferior quality. Serpentine and limestone are the prevailing formations of the base of the highest ranges of hills throughout this part of the country. Steatite is also abundant in the bed of the *Irawadi* below the valley of *Khamti*."

One very important object of Captain Hannay's mission was to cross the *Patkoi* mountains into *Assam*, and on his arrival at *Mogoung* he waited some days in considerable anxiety for the *Kakhyen* porters, who were to convey his baggage and supplies during the remaining portion of the journey:—he soon found, however, that the authority of the Burmans when unenforced by the presence of a large military detachment, was held in the most sovereign contempt by these hardy

* Monsieur Apel Remusat, in the second part of his history of *Khotan*, is said by Klaproth (Mem. Rel. à l'Asie, tome 2, p. 299) to have entered into a very learned disquisition proving the identity of the *yu* or *yueesh* of the Chinese with the *jaspis* of the ancients.—R. B. P.

The yu is a silicious mineral, colored with less intensity but passing into heliotrope. It is therefore *prase* rather than *jade* or nephrite.—Ed.

mountaineers and after many fruitless attempts to induce the *Mogoung* woon to allow him to proceed with even a small party, he was constrained to limit his further researches to the *Hukong* valley and amber mines. Repeated remonstrances were necessary to induce the governor to proceed even so far, and it was not until the 19th of the month that an advanced guard crossed the river, and hired a few dojes, after performing the ceremony of sacrificing a buffalo to the Nhatgyee (or spirits of the three brother Tsaubuas of *Mogoung*), without which no expedition ever marches from the town. Even then, the dogged obstinacy of the governor induced him to delay his departure, and it was not until Captain Hannay threatened that he would instantly return to *Ava* if there were any longer delay, that the wily diplomatist could be induced to move.

On the 22nd they crossed the river, and the camp was formed on the northern bank, in strict accordance with Burmese castrametation. Captain Hannay's tent (a common sepoy's pal) was the admiration of every one but its owner, who now for the first time marched with an undisciplined rabble. "The soldiers' huts," says Capt Hannay, "are composed of branches of trees and grass, and if they wish to be particular, they cover them with a piece of cloth, which is generally some old article of dress. The Myo-wun's station is in the centre of the camp, and in front of him are his own immediate followers, whose huts are formed into a street marked by a double line of spears. At the head of this street the flags are placed, and also the two small cannons (one-pounders), which are sent with the force, I believe for the purpose of firing three guns morning and evening, to frighten the neighbouring Kakhyens, and which ceremony, I suspect, will be gone through with as much gravity, as it would have the desired effect. My position is in front and a little to the left of the Myowa, and we are completely surrounded by the soldiers, whose huts are in distinct lines, the men of each district keeping together."

On the 22nd they at length set out, and the style of march was as little in accordance with the military experience of our traveller, as the previous encampment. "The men, to the number of 800, march in single file, and each man occupies a space of six feet, being obliged to carry a bangy containing his provisions, cooking pots, &c. besides his musket, which is tied to the bangy stick. This is the most common mode of marching, but some of them carry their provisions in baskets, which they strap across their forehead and shoulders, leaving their hands free to *carry* their muskets; but as to *using* them it is out of the question, and I should say the whole party are quite at the mercy of any tribe who choose to make a sudden attack upon them." On reaching the encamping ground, however, these men gave proof how well they were adapted to this mode of travelling, for in an hour after their arrival, every individual had constructed a comfortable hut for himself, and was busily engaged cooking the rice, which, with the addition of a few leaves plucked from certain shrubs in the jungle, forms the diet of the Burman soldier on the line of march.

The tract of country through which the party passed on the first two days was hilly, abounded in a variety of fine forest trees; but on approaching *Numsung*, the second encampment, the country became more open, and the path way led through a forest of very fine teak trees. The principal rivers all flowed from the *Shwédoung gyi* range of hills on the east of their route, and are at this season of the year mere mountain torrents, with so little water in them, that the path frequently passes over their rocky beds. The whole route from *Mogoung* to the *Hukong* valley, may be described generally as passing between defiles, bounded by the inferior spurs of the *Shwédoung gyi* range on the east, and numerous irregular hills on the west, these defiles form the natural channels of numerous streams, which, flowing from the heights above, and struggling amidst masses and boulders of detached rock, make their way eventually to the larger stream of the *Nankeen*, which unites with the *Nampen* at *Mogoung*. The only traces of inhabitants perceptible in the greater part of this route were a few cleared spots on the hills in the vicinity of some scattered Kakhyen villages, and a few rushing stakes in the mountain streams. Near the mouth of the *Numsung Khyoung* the party met with a few Kakhyen huts, which appear to have been constructed by that tribe, during their fishing excursion; and at *Tsadozut*, an island in the bed of the *Mogoung* river on which the force encamped on the 25th of January, they passed two Kakhyen villages and found the ground completely strewed with graves for a considerable number, the probable result of some endemic disease which induced the survivors to desert the spot. The finest lemon and citron trees, Captain Hannay had ever seen, were found here, and the tea plant was also very plentiful -the leaf is large, and resembles that sold in *Ava* as pickled tea; the soil in which it grew most luxuriantly is described as of a "reddish-coloured clay." Thus far, a considerable portion of the route had passed either directly over the bed of the *Mogaung* river or along its banks; but at *Tsadozut*, they crossed it for the last time, and at this spot it is described as a mere hill stream with a "bed composed of rolled pieces of sienite and serpentine, with scales of mica in it." The navigation of the river even for small canoes ceases below this spot, and those which had accompanied the party with supplies were left, from inability to convey them further.

About four miles north of *Tsadozut* "the road ascends about 100 feet and passes over a hilly tract, which seems to run across from the hills on the east to those on the west, and

is called by the natives *Tsambu toung*, (the *Mount Samu* of the maps.) This transverse ridge evidently forms the southern limit of the *Hukong* valley, and streams flow from it both to the north and south; the former making their way to the *Khyendwen*, and the latter to the *Mogoung* river.

"*Tsambu-toung*," says Captain Hannay, "is covered with noble trees, many of which, I think, are sal, and are of immense height and circumference. The tea-plant is also plentiful, besides a great variety of shrubs which are quite new to me. The rays of the sun seem never to penetrate to the soil of *Tsambu toung*; it may therefore be easily imagined how damp and disagreeable it is, more particularly as there is a peculiar and offensive smell from a poisonous plant which grows in great abundance in this jungle, and the natives tell me that cattle die almost immediately after eating it.

On the 30th the party descended from the encampment on the northern face of this ridge to the Singpho village of *Walobkum*, and finally encamped on the left bank of the *Edikhyoung*, about three furlongs distant from *Meinkhwon* or *Mungkkam*, the capital of the *Hukong* valley, "where," says Captain Hannay, "our journey must end for the present; as, besides having no provisions, the men composing the force are so completely worn out with fatigue, that I am certain they could not proceed further without a halt of some days." This interval Captain Hanny assiduously employed in collecting information regarding the valley, which had from a very early period been an object of great geographical interest, as the site of the *Payendwen* or amber mines, and at no very remote era probably formed the bed of an alpine lake, which, like that of the *Manipur* valley, has been subsequently raised to its present level by long continued alluvial deposits, and detritus, from the hills which encircle it on every side. The tendency of every such deposition is to raise the level of the water, and facilitate its drainage, until it becomes so shallow, that evaporation suffices to complete the process, and render the soil a fit abode for future races of men. The numerous and extensive lakes in the mountainous regions of *Thibet* and *Tartary* are doubtless undergoing similar changes, and no great stretch of imagination is necessary to anticipate the period when they will become the sites of extensive towns and villages, and present striking contrasts to the rugged magnificence and solitary grandeur of the snowy regions which surround them.

"The valley of *Hukong* or *Payendwen*," says Captain Hannay, "is an extensive plain, bounded on all sides by hills; its extent from east to north-west being at least 50 miles, and varying in breadth from 45 to 50 miles, the broadest part being to the east. The hills bounding the valley to the east are a continuation of the *Shuedoung-gyi* range, which is high commences at *Mogoung*, and seems to run in a direction of N. 15 E." The principal river of the valley is the *Namtumee* or *Khyendwen*, which flows from the *Shuedoung-gyi* range, and after receiving the contributions of numerous small streams quits the valley at its north-western corner, and again enters the defiles of the hills, beyond which its course is no longer perceptible. On the western side of the valley there are but few villages, and these thinly inhabited, the capital itself containing not more than thirty houses; but the north and eastern sides are said to be very populous, the houses in those quarters being estimated at not less than 3,000, nearly all of which are situated on the banks of the *Towang* and *Debee* rivers. All the low hills stretching from the western foot of the *Shuedoung* range were under cultivation, and the population is said to extend across to the banks of the *Irawadi*, in numbers sufficient to enable the Singphos when necessary to assemble a force of nine or ten thousand men.

"With the exception," says Captain Hannay, "of the village of *Meinkhwon*, which has a Shah population, the whole of the inhabitants of the valley are Singphos and their Assamese slaves. Of the former the larger proportion is composed of the Mup and Tisan tribes with a few of the Laphai clan, who are still regarded as strangers by the more ancient colonists, and can hardly be viewed but with hostile feelings, as this tribe have frequently ravaged *Meinkhwon* within the last six years, and were guilty of the still greater atrocity of burning a priest alive in his *kyoung* or monastery.

Formerly, the population was entirely Shan and previous to the invasion of *Assam* by the Burmese, the town of *Meinkhwon* contained 1,500 houses, and was governed by the chief of *Mogoung*. From that period, the exactions of the Burmese officers have led to extensive emigration, and to avoid the oppression to which they were hourly exposed, the Shans have sought an asylum in the remote glens and valleys on the banks of the *Khyendwen*, and the Singphos among the recesses of the mountains at the eastern extremity of the valley. The state of affairs has led to general anarchy, and feuds are constantly arising between the different tribes, which the quarrel of the Bessa and Dupha Gaums has greatly contributed to exasperate. No circumstance is more likely to check these feuds, and reclaim the scattered population of the valley, than the establishment of a profitable commercial intercourse with the more equitably governed valley of *Assam*, with which communication is now becomming more intimate than at any previous period.

Of the mineral productions of the *Hukong* valley, enumerated by Captain Hannay, the principal are salt, gold, amber; the former, he informs us, is procured, "both on the north and south sides of the valley, and the waters of the *Namtwonkok* and *Edi* rivers are quite brackish from the numerous salt springs in

their beds. Gold is found in most of the rivers, both in grains and in pieces of the size of a large pea. The rivers which produce it in greatest quantity and of the best quality are the *Kapdup* and the *Namkwun*: the sand of the former is not worked for this mineral, I am told, but large pits are dug on its banks, where the gold is found, as above mentioned. Besides the amber, which is found in the Payen-toung, or amber mine hills, there is another place on the east side of the valley called *Kotah bhum*, where it exists in great quantities, but I am informed that the spot is considered sacred by the Singphos, who will not allow the amber to be taken away, although it is of an inferior description." Specimens of coal, were also found by Captain Hannay in the beds of the *Namhkyn* and *Edu* rivers; and he learnt from natives that, in the *Numtarong*, a great quantity of fossil wood was procurable.

In its relation to *Assam* and *China*, the trade of the *Hukong* valley naturally attracted a share of Captain Hannay's attention, and from his accounts it appears, that "the only traffic of any consequence carried on in this valley is with the amber, which the Singphos sell to a few Chinese, Chinese Shans, and Chinese Singphos, who find their way here annually. The price of the common or mixed amber is 2½ ticals a vis or four rupees per one seer and a half: but the best kind and what is fit for ornaments, is expensive, varying in price according to its color and transparency."

"The Chinese sometimes pay in silver for the amber, but they also bring with them warm jackets, carpets, straw hats, copper pots, and opium, which they give in exchange for it. They also barter their merchandize for ivory and gold dust, but only in small quantities. A few individuals from the Burman territories likewise come here, with cloths of their own manufacture, and also a small quantity of British piece goods for sale. But as they are obliged on their way hither to pass through the country of the most uncivilized of the Kakhyen tribes, they seldom venture to come. The greatest part therefore of British and Burman manufactures which are used in this valley, are brought from *Mogaung* by Singpho merchants. But I understand that within the last few years, several of them have gone to *Assam* with gold dust, ivory and a little silver, for which they receive in return muskets, cloths, spirits and opium. The following is a list of British piece goods now selling at *Menkkwon*:—Common book-muslin used as head dresses, 14 rupees a piece; coarse broad cloth worn as shawls, 2½ yards long, 18 rupees each; good cotton handkerchiefs, 4 rupees a pair, and coarse ones, 2½ rupees a pair. These are the prices of goods bought at *Ava*, but what similar articles from *Assam* may cost, I cannot ascertain. The broad cloth, however, that I have seen from the latter place, is of a very superior quality. The merchants who come to this valley from the Burman territories are natives of *Yo*, and the man who is now selling goods here has frequently visited *Calcutta*. The dress worn by the *Singphos* of this valley is similar to that of the Shans and Burmans of *Mogoung*, but they frequently wear jackets of red camlet,* or different velvets which they ornament with buttons, and those who can afford it wear a broad-cloth shawl. The arms in common use amongst them are the *dhu* (of short sword) and spear. The women wear neat jackets of dark coarse cotton cloth, and their *thamines* or petticoats are full and fastened round the waist with a band, being altogether a much more modest dress than that worn by the Burman women. Those who are married, wear their hair tied on the crown of the head like the men, but the younger ones wear theirs tied close to the back of the neck, and fastened with silver pins—both married and single wear white muslin turbans. The ornaments generally worn by them are amber ear-rings, silver bracelets, and necklaces of beads, a good deal resembling coral, but of a yellowish color, and these are so much prized by them that they sell here for their weight in gold.

During his stay at *Hukong*, Captain Hannay was visited by many Singphos from the borders of *China*, from whom he learnt that the *Sninmaekha* river rises in the mountains bounding the plain of *Khanti* to the north, and is inclosed on the east by the *Goulang sigong* mountains, which they consider the boundary between *Burmah* and *China*. This river is, on the same authority, pronounced not to be navigable even for canoes, and the most satisfactory confirmation is afforded of the accounts of Captain Wilcox†. Several smaller streams fall into the *Irawady* from the *Shuedoung-gyi* hills on the west, and the name *Situng* is given to the tract of country through which they flow. In this district gold is very plentiful, and it is found, says Captain Hannay, "over the whole tract of mountainous country, above the *Sninmaekha*. The Chinese visit this locality for the purpose of procuring the gold, and give in exchange for it, warm clothing, carpets and opium."

Of the several routes by which communication is kept up between the inhabitants of *Hukong* and the countries around, the principal appear to be, one leading across the *Shuedounggyi* range to the eastern Singphos; a second, called the *Legyep-bhum* road, winds round the base of the mountain of that name, and leads in sixteen days to *Munglang*, the capital of the *Khanti* country, which was visited by Captain Wilcox.

The most important one, however, with reference to trade, lies in a south-east direction

* Specimens in matrice are deposited in the Society's Museum.—Ed.

† Although Captain Wilcox (As. Res. vol. xvii. p. 453), relying on the accounts given by Singphos of this river, appears to have formed rather an exaggerated estimate of *its* size, his conjectures as to the position of its sources are fully verified by the statements made to Captain Hannay.—R. B. P.

from the *Hukong* valley, from which the district of *Kakye-wainmo* is not more than eight days' march distant. By this route the Chinese frequently travel, and it affords a very satisfactory proof that intercourse may be held direct with *China*, without the necessity of following the Circuitous route by *Mogoung*.

Among the several races of people inhabiting the valleys through which the principal rivers flow, the Khantis or Khumptis hold a very conspicuous rank: they are represented as a fine, brave, and hardy race of men, and are held in great apprehension by the Burmahs, who, about three years ago, attempted to raise revenue amongst them: the force detached on this duty, however, met with such determined resistance, that it was compelled to return, and no subsequent attempt has been made on their independence. They are in constant communication with the Khunungs, a wild tribe inhabiting the mountains to the north and east, from whom they procure silver and iron. "The former is found in a mine, said to be situated on the northern side of the mountains, to the north-east of *Khanti*." All the information Captain Hannay could obtain led him to suppose that this mine was worked by people subject to *China*, and from the description given, he thinks they are Lamas, or people of *Thibet*. The part of the Chinese territories north-east of *Khanti* is known at *Hukong* by the name of *Mungfan*[*] and the Khantis have no communication with it but through the Khunungs.

From *Meingkhown*, Captain Hannay obtained a view of the hill, near which die the sources of the *Uru* river, one of the principal affluents of the *Nmgthi* or *Khyendween*. it bore south 35° west from *Meingkhown*, and was about 25 miles distant. It is in the vicinity of this spot that the most celebrated mines of serpentine are situated, and their position is thus described by Captain Hannay.

"A line drawn from *Mogoung* in a direction of N. 55 W. and another from *Meingkhown* N. 25 W. will give the position of the serpentine mine district. The Chinese frequently proceed to the mines by water for two days' journey up the *Mogoung* river, to a village called *Kam-mein*, at which place a small stream called *Engdan khyoung*, falls into the *Mogoung* river. From thence a road leads along the *Engdan-khyoung* to a lake several miles in circumference called *Engdu-gyi*, and to the north of this lake eight or nine miles distant are the serpentine mines. The tract of country in which the serpentine is found extending 18 or 20 miles." There is, however, another more direct route from *Kam-mein* which runs in a north-westerly direction. The whole tract of country is hilly, and several hot and salt springs are reported to exist near the *Engdaugyi* lake, which is said to cover what was once the site of a large Shan town called *Tumansye*. The natives affirm that it was destroyed by an earthquake, and from the description given of a hill in the vicinity, the catastrophe may have been produced by the immediate agency of volcanic action.

On the 21st of March, Captain Hannay visited the amber mines, and his description is the first that has ever been given of the locality from whence the Burmans obtain this mineral.

"We set out at 8 o'clock," he says, "in the morning and returned at 2 P. M. To the foot of the hills the direction is about 25° west, and the distance three miles, the last mile being through a thick grass jungle, after which there is an ascent of one hundred feet, where there is a sort of temple, at which the natives, on visiting the mines, make offerings to the ngats or spirits. About a hundred yards from this place, the marks of pits where amber had been formerly dug for, are visible, but this side of the hill is now deserted, and we proceeded three miles further on to the places where the people are now employed in digging, and where the amber is most plentiful. The last three miles of our road led through a dense small tree jungle, and the pits and holes were so numerous that it was with difficulty we got on. The whole tract is a succession of small hillocks, the highest of which rise abruptly to the height of fifty feet, and amongst various shrubs which cover these hillocks the tea plant very plentiful. The soil throughout is a reddish and yellow coloured clay, and the earth in those pits, which had been for sometime exposed to the air, had a smell of coal tar; whilst in those which had been recently opened, the soil had a fine aromatic smell. The pits vary from six to fifteen feet in depth, being, generally speaking, three feet square, and the soil is so still that it does not require propping up."

"I have no doubt," Captain Hannay adds, "that my being accompanied by several Burmese officers, caused the people to secrete all the good amber they had found. For although they were at work in ten pits, I did not see a piece of amber worth having. The people employed in digging were a few Singphos from the borders of *China* and of this valley. On making inquiry regarding the cause of the alleged scarcity of amber, I was told that, want of people to dig for it was the principal cause; but I should think the inefficiency of the tools they use was the most plausible reason:—their only implements being a bamboo sharpened at one end, and a small wooden shovel."

"The most favourable spots for digging are on such spaces on the sides of the small

* In the second volume of Du Halde's "China," p. 385 the Bore Regis thus describes the tribe by which this tract of country is inhabited, and its geographical site

"The most powerful among the Tattar Lamas are those called by the *Moungfan*, who possess a wide rivers *Kincha-kiang* and *Vu-kyangho*. This country was ceded to them by Usanghey (whom the Manchews made king of *Ounan*) to engage them in his interest,"—B. B. P.

hillocks as are free from jungle, and I am told that the deeper the pits are dug, the finer the amber; and that that kind which is of a bright pail yellow, is only got at the depth of forty feet under ground.

A few days subsequent to this examination of the amber mines, Captain Hannay visited the *Numtuaree* or *Khyenaueen*, which flows through the valley about five miles north of *Meinghwon* in this part of its course, and at this season of the year the stream, as might have been anticipated, is small, but, in the rains Captain Hannay estimates that its breadth must be 300 yards from bank to bank, and it is navigable throughout the year for the large canoes.

An island in the centre of the bed was covered with the skeletons of large fish, which had been destroyed by the poisonous qualities of the fallen leaves of overhanging trees: the natives eat the fish so killed with impunity.

After waiting several days at *Meinghkwon* in anticipation of the return of some messengers who had been sent into *Assam*, and suffering extreme inconvenience from the difficulty of procuring adequate supplies for the force, the Myoswon began seriously to think of returning to *Mogoung*. All expectation of prosecuting the journey into *Assam* had been relinquished, and the Dupha Gaum having voluntarily come into the camp, was received by the Burman governor with a civility and distinction, extorted by his apprehension of the numerous Singphos ready to support their redoubtable chieftain, whose influence is said to extend to the frontiers of *China*. On the first of April the ceremony was performed of swearing in the different Tsobuas (tributary chiefs) to keep the peace, which is thus described by Captain Hannay.

"The ceremony commenced by killing a buffaloe, which was effected with several strokes of a mallet, and the flesh of the animal was cut up to be cooked for the occasion. Each Tsobua then presented his sword and spear to the spirits of the three brother Tsobuas of *Mogoung*, who are supposed to accompany the governor of the above named place, and to inhabit three small huts which are erected on the edge of the camp. Offerings of rice, meat, &c. were made to these *nguts* or spirits, and on this being done, each person concerned in taking the oath received a small portion of rice in his hand; and in a kneeling posture, with his hands clasped above his head, heard the oaths read both in the Shan and Burmese languages. After this, the paper on which the oaths were written was burned to ashes, and mixed with water, when a cup full of the mixture was given to each of the Tsobuas to drink, who, before doing so repeated an assurance that they would keep the oath, and the ceremony was concluded by the chiefs all sitting down together and eating out of the same dish." The chieftains to whom this oath of forbearance was administered were the Thoygee of *Meinghkwon*, a Shan—the Dupha Gaum, a *Tesan* Singpho—the Panwah Tsobua, a *Laphace* Singpho—the Situnyen Gaum, and Wengkeng-moung, *Mirip* Singphos—and Tare poung-noung, a *Tesan* Singpho,—all of whom, by this act, virtually acknowledged the supremacy of the Burman authorities, and their own subjection to the kingdom of *Ava*.

The new Governor having succeeded by threats and the practice of every art of extortion, in raising as large a sum as it was possible to collect from the inhabitants of the valley and surrounding hills, announced his intention of returning to *Mogoung*; and on the 5th of April no intelligence having been received from *Assam*, Captain Hannay left *Meinghkwon* on his return to *Ava*, with a very favourable impression of the Singphos he had seen, who appear to possess great capabilities of improvement, and whose worst qualities are represented as the natural result of the oppressive system of government under which they live. One of their chieftains in conversation with Captain Hannay furnished a clue to the estimation in which they held the paramount authorities around them by the following remark. "The British," he said, "are honourable, and so are the Chinese. Among the Burmans you might possibly find one in a hundred, who, if well paid, would do justice to those under him. "The Shans of *Mogoung*," he added, "are the dogs of the Burmans, and the Assamese are worse than either, being the most dangerous backbiting race in existence."

On the 12th of April, Captain Hannay reached *Mogaung*, and some boats arriving shortly afterwards from the serpentine mines, he availed himself of so favourable an opportunity of acquiring some additional information regarding that interesting locality. He found the boats laden with masses of the stone so large as to require three men to lift them. The owners of the boats were respectable Chinese Musulmans, who were extremely civil, and readily answered all the questions put to them by Captain Hannay, who learnt "that, although the greater number of Chinese come by the route of *Santa* and *Tali*, still they are only the poorer classes who do so: the wealthier people come by *Bamo*, which is both the safest and the best route. The total number of Chinese and Chinese Shans who have this year visited the mines is 480."

"I have made every inquiry," adds Captain Hannay, "regarding the duties levied on these people, both on their arrival here and on their purchasing the serpentine, and I am inclined to think that there is not much regularity in the taxes, a great deal depending on the value of the presents made to the head-man. Formerly, the Chinese were not allowed to go to the mines, but I understand the following is now the system carried on in this business.

"At particular seasons of the year, there are about 1000 men employed in digging for serpentine: they are Burmahs, Shans, Chinese Shans, and Singphos. These people each pay

a quarter of a tical a month, for being allowed to dig at the mines, and the produce of their labour is considered their own.

"The Chinese who come for the serpentine, on their arrival at *Mogoung*, each pay a tax of from 1½ to 2½ ticals of silver, for permission to proceed to the mines, and 1½ tical a month during their stay there. Another duty is levied on the boats or ponies employed in carrying away the serpentine, but this tax varies according to circumstances; and on the return of the Chinese to *Mogoung*, the serpentine is appraised and a tax of 10 per cent. taken on its value. The last duty levied is a quarter of a tical from every individual, on his arrival at the village of *Topo*, and there the Chinese deliver up all the certificates they have had, granting them permission to proceed to the mines."

On the 9th of April, no intelligence having been received of the messengers sent into *Assam*, Captain Hannay determined to return to *Ava*, and, embarking on a small boat, he reached *Bamo* in four days, and arrived at *Ava*, on the 1st of May. The time occupied in returning from *Meingkhwon* to *Ava* was only eighteen days, while the journey to that frontier post was not completed in less than forty-six of actual travelling,—a very striking proof of the extreme difficulty of estimating the distance between remote points, by the number of days occupied in passing from one to the other, unless the circumstances under which the journey was made are particularly described. That portion of the route between *Meingkhwon* and *Beesa* in *Assam*, which Captain Hannay was prevented visiting, will probably in a short time be as well known as the territory he has already so succesfully explored, and the researches in which he is now engaged, extending *Beesa in Assam* to *Meingkhwon* in the *Hukong* valley, will complete the examination of a line of country not surpassed in interest by any, which our existing relation with the empire of *Ava* have afforded us an opportunity of visiting. His labours have filled the void necessarily left in the researches of Wilcox, Burlton, and Bedford, and have greatly contributed to dispel the doubt and uncertainty which they had not the opportunity of removing. While the officers of the *Bengal* presidency have been thus successfully engaged in geographical inquiries on the north of *Ava*, the south and western districts have been explored with equal zeal and intelligence by those of the *Madras* Presidency; and the spirit of honourable competition, which has already stimulated the researches of Drs. Richardson and Bayfield, and Lieutenant Macleod, with such marked advantage, bids fair, in a comparatively short time, to render the whole empire of *Ava* better known than the most sanguine could have ventured to anticipate. Did the results of such journies and investigations tend only to an increase of our geographycal knowledge, they would even then be most valuable: but to suppose that the consequences of this intercourse between intelligence and ignorance are so limited, is to take a most inadequate view of the subject: the confidence inspired by the visits and conduct of a single individual,* has already opened a communication between *Yunan* and *Maulmein*, and the caravans of *China* have commenced their annual visits to the British settlements on the coast, the journey of Captain Hannay will in all probability lead to a similar result between *Assam* and the northern districts of *Yunan*; and the time may not be very distant, when British merchants located at *Bamo*, will, by their superior energy and resources, extend its now restricted trade to surrounding countries, and pave the way for ameliorating the condition and enlightening the ignorance of their numerous inhabitants.

* Dr. Richardson, of Madras.—R. B. P.

THE HINDU.

No. 11.

When any member of a respectable family is attacked with a severe disease, *toolsee* leaves accompanied with propitiary *munturs* are offered to *Shiva*, and sometimes to other deities, with some additional ceremonials, from a positive conviction that the adoption of such a course is sure to bring all the agonies of illness to a speedy and salutary termination. The brahmins are also in the habit of reciting a *pootee* before persons laboring under fever, and have laid it down as an *irrefragable* maxim, that an attentive hearing of its contents is one of the best febrifuges in the world. It is firmly believed, that the different distempers which afflict mankind and are the causes of all our wailing and woe, emanate from a number of *petty gods* acting in charge of them by order of the Great Maker of the Universe, and in proportion as attention is bestowed on imploring or winning their mercy, they become lenient and compassionate towards their votaries. In very hot weather, when the rage of *cholera morbus* is generally virulent in Calcutta, and the *ghauts* are crammed with the dead and dying, presents of sweetmeats, fruits, &c., pour in without intermission in the tapering *mundeer* of *Wollah Wooto Thakrune*, whose fury in increasing the horrors of the *susham* can never be appeased until such lucious viands as these are transported into the great laboratory of her belly. She of course then begins to cherish friendly feelings

towards her worshippers, but is certainly inimical to those that fail to satisfy the greediness of her palate.

During the inoculation of a Hindoo, which is usually effected here at an early age, the goddess *Sitola* is worshipped with every mark of veneration. From the day of the performance of inoculation till it is perfectly dry, the admission of fishes into the dwelling house is strictly prohibited, nor are the *dhoobees* allowed to wash the clothes of the family. A sumproda of songsters is entertained to sing in honor of this deity on the night preceding the day of her being thrown into the water. The songs heard on this occasion are principally of a religious nature, and continued till the *ticawallahs* (inoculaters) make their appearance, and complete the ceremony by putting a small boat on their heads, which perhaps means that *Sitola* safely embarks in it for her native realm admidst the burst of admiration and loud hosannas of her adorers.

The Hindoos believe both in the transmigration and immortality of the soul. But where does the soul go after we have "shuffled off this mortal coil?" This a question which had once engaged the attention of a profound philosopher of the *felicitous Dwapur Yug*, and the singular discourse delivered by him thereupon, however abounding it may be in statements that are apparently the fabrications of a perturbed imagination, or illustrations tinctured with a hue of poetry, has saved the subject from being agitated any longer, and the voice that settled it is deemed the "voice potential of an omniscient being." As information connected with such matters has not yet been communicated to the world by any traveller, ancient, or modern—nay not even by the gallant captain who circumnavigated the whole globe, we shall not hesitate to give an expose of the theories of *Vishsho* (for that is the name of the learned man above alluded to) respecting that "undiscovered country from whose bourne no traveller returns," and which have obtained from time immemorial the universal credit of the *Bengalees*.

The *Jome Pooree* or the palace of *Joma* (God of Death) is in the southern part of the world. It is a most spacious and towering edifice, and has four portals on its four sides. The *suttees* gain their admittance through the northern gate; the soldiers who die *glorious* deaths in the field through the eastern; and the bustoms whose noses and foreheads bear the stamp of *Tiluck* and *Horinaum*, as well as those that duly appreciate the intrinsic worth of virtue, through the western. The northern gate is expressly intended for the entrance of the sinful. The good and the pious see the God of Death in the shape of a young man of sixteen years, having a placid countenance, beming with benign looks and the benevolent smiles. But before the wicked, he assumes a quite different aspect. Not a single mark of comeliness is then to be observed. He sits on his throne like a "grim visaged tyrant with an iron rod in his hand" and mustachois all curled to add fierceness to his eyes. His neck is said to be adorned with beads, and one of his legs rests on the other, afflicted as it has been for years and years with *elephantiasis*, which we presume the medical gentlemen of that quarter of the globe must have pronounced incurable, and might prove fatal to the life of *Juma* unless the aid of some of the distinguished *doctors* of this city of palaces be solicited!!! The God of Death has in his employ a very expert accountant named *Chitro Gopta* (sprung from the arms of *Brahmah*) who keeps a regular ledger with a debtor and creditor side, containing the sums of virtue and vice acquired or committed by every citizen of the world, and at the death of him or her the said account is brought to a close, and the balance struck off shows the amount of *purno or paup*, or good or bad actions, performed in this probationary life.

When an individual is in a gasping state and prepares to take leave of all the terrestrial objects so dear to him, the watchful *Juma* ascertains whether he led a virtuous or vicious life, and instructs his *doot*, who are sent to take away his soul, to treat him respectfully if he was a man of good character, and harshly if otherwise. The sinful persons become excessively frightened at the time of their death. The *jome doot*, or the messengers of *Juma*, who are invisable to mortal eyes, come and surround them a few moments before their expiration, and every groan that they breath supposed to proceed from the sight of *their* grisly forms, or the infliction of *their* unseen torments. As soon as they breath their last, their souls that are said to be like human shapes, and not bigger than a thumb, being taken out from their bodies are tightly tied with ropes of leather and are carried with force in the midst of thorny places, burning sands and tanks boiling with sulphur and other combustibles. They are then ushered into the *Jomepoorce*, when the dreadful *Juma* after being informed of their sins by *Chitro Gopto*, pronounces sentences on them according to his own idea of the *rationale of punishment*.

There are eighty hells in the dominion of *Juma*, to which criminals of different classes are consigned for years and years on account of their mischeivous conduct in the world. The description of these hells is really appalling and is

> Abominable, unutterable and worse,
> Than fables have yet feign'd or fear conceived.

Some of these are covered with red hot copper blazing day and night; some of them abound in scorpions and serpents of tremendous magnitude; some of them are flowing with "waves of torrent fire" mixed with suffocation; while others contain a vast accumulation of filth and dirt whose obnoxious effluvia mixed with our atmospheric air, are sure to deaden the sensibilities of our olfactory nerves, lower the prices of flowers, snuffs, and perfumeries, generate *malaria* against which the dreadful battery of our learned doctors has been directed for the last two years, augment the labours and troubles of the *medico-municipal committee*,

and bread, like bugs, so many deceases every hour that havoc and destruction shall cumber all the parts of Calcutta!!! But God forbid that such should be our fate! Late the sinners suffer in those horrible abodes for their iniquities, but our withers must be unwrung. After the period of punishment is over, the sinful are again allowed to be born in the world but in low families, and if they behave better, they rise higher and higher in after lives.

The souls or the spiritual figures of the good and the virtuous being taken before *Juma*, are respected and honored, and are at last sent for the enjoyment of *genuine happiness* in the delicious vales of *Byacant*, where the aspect of "goodliest trees" of variegated fruits, the grass of enamelled hue, the balmy breaths of gentle *Somiron*, the melody of bubbling brooks, the mellifluent songs of *Kinnaras* and *Houris*—the charming minstrelsy of gold feathered birds, and thousands of fascinations of an equally alluring nature, do not only prove " a perpetual feast nectar'd sweets to the eye and the ear, but.

——to the heart insures
Vernal delight and joyable to drive
All sadness and despair.

Calcutta, 28th June, 1837. [*Englishman.*

MARKED OR PUNCHED COMPANY'S RUPEES.

A Regulation of Government of the 26th April 1837, relating to the reception in the Government Treasuries of the marked and punched Company's rupees, provided they be of the proper weight, has been the subject of some remark lately in the *Englishman* and the *Courier*. Without entering at present into the very narrow grounds of discussion occupied by our contemporaries, we shall give the subject our consideration, and we confess at once that as far as we can see into the matter, the Government Regulation appears to us calculated to benefit the public, at least the revenue paying public. Company's rupees are to be received in the Treasuries provided they be of the weight as prescribed in Section III. of the new coinage Regulation, Act XVII. of 1835.

By that Section it is enacted, that the Company's rupee, half rupee, and double rupee, shall be a good legal tender, provided the coin shall not have lost more than two per cent. in weight, and *provided it shall not have been clipt or filed otherwise than by use.* Company's rupees, therefore, are now receivable into the Government Treasuries, provided they shall not have lost more than two per cent. in weight, and provided they shall have the appearance of having been worn or defaced only *by use.* We beg, therefore, attention to the words in *italics*, because they would appear to contain the balsamic power of soothing the tender apprehension expressed by the *Englishman*, touching the countenance and encouragement apparently given by the new Regulation to such as might make it their occupation to debase the coin; and because in like manner the same words would, it would seem, go to show, that the latitude extended by Government to the lieges, to *scratch* the rupee by way of ascertaining its genuineness, as contemplated by the *Courier*, is on no account sanctioned or approved of by Government; and furthermore, we call attention to the italics, because the words of this Section III of Act XVII. of 1805 so printed by us, also go to show that there is in the Book called Prinsep's useful Tables, published by the Assay Master of the Mint, the following important misstatement, which considering the source from whence the statement proceeds, and the force of authority it will consequently obtain to the serious delusion of the lieges, it behoves the compiler of Prinsep's useful Tables forthwith to correct. Section III. says that all rupees are good weight, until they have lost two per cent *by fair* usage.

Prinsep's useful Tables say: " All silver money of the new Standard (with a straight milling or plain edge) is considered *by law*, as of full weight, until it has lost by wear, or otherwise, 2 pie in the rupee; or in round terms one per cent." Here it clearly appears that the Government and the Assay Master are at variance. the Government is more liberal than its officer by one hundred per cent., and the new Regulation of 26th April 1837, appears to us, as we have said, to be a tolerably liberal enactment, all things considered. According to the Useful Tables, all persons can take their bullion to the Mint for coinage, be it gold or silver; and after it has been subjected to the process of cutting and burning, to ascertain the absence of any fraudulent admixture, the assay tests are exhibited, and the owner then gets his bullion turned into gold-mohurs or rupees, as he may think proper, paying for the trouble of the operation to Government, 2 per cent on the amount coined, with some other expense for the assay process. This two per cent. called seignorage, is the Government charge for coining. The bullion is, therefore, by so much the more valuable when coined: and the Government labour, which renders it so much more valuable than so much weight of mere bullion, having been paid for *once*, it would be an extortion were Government to say, allowing nothing for the defacing of the coin and consequent alteration of its weight in the process of its circulation, "you (the Zemindar) must pay the coin back to me even in the state I

(the Government) issued it to you," such diminution in weight having been already provided for by the coining charges; and Government being bound (at least we suppose so) to convert defaced rupees which have lost more than two per cent. in weight into new rupees of the legal standard, upon such being taken to the Mint for re coinage, the extra expence of this re-issue being defrayed out of the fund arising from seignorage and assay charges, it being clear that such rupees being legal tender cannot be treated by Government as bullion, and it being the object of all Governments to restore and perfect their coinage as fast as it returns into the Mint.

Government, by this new Regulation of 26th April 1837, put itself on a level with the public, and receives as legal tender to itself, that rupee which it had already made legal tender to the rest of the world, taking away to a certain extent the discretionary power in its officers to pronounce upon the rupee tendered for revenue vested in them by the proclamation of the 2d September 1835; and by so putting itself on a level with the public, Government, in that decree, gets rid of the abuse and extortion to which Revenue payers were liable to be exposed. According to old practice in the Treasuries, light rupees were received by Government officers as bullion, and the deficiency in the standard weight was made good by the payer. The new Regulation has now fixed the limits to light rupees for Government itself as well as for the public, and therefore we think the new Regulation beneficial and good.

The question of preventive measures against the debasing of the coin by the people, is one of great difficulty; but we cannot see in what way the new Regulation is likely to encrease the evil, as apprehended by the *Englishman*. Two per cent. is allowed for the effects of circulation on the standard weight of the rupee, but clipt, or filed, or punched rupees are not legal tender, whether of the specific legal weight or not, and considering the short time the new rupee has been current, more use ought not to have always produced a deficiency from the standard weight.

The effects of clipping or filing upon a rupee are besides self-evident and very easy of detection; punching and loading rupees is also easily detected; a coin so falsified will not *ring* with that silvery argentine note given forth upon compulsion by its purer sisters; so that the Government treasuries are not likely to be inundated with this sort of clipt or punched rupees, and temptation to deface and debase the coin, remains, as it appears to us, just in *statue quo* as before the passing of the new regulation on the subject, and the public is so bettered by the regulation to the amount of the bribery, vexation and extortion now existing or likely to spring up, the extinction of which may be anticipatedby the operation of the new regulation.—*Bengal Hurkaru, May* 18.

We are glad to have the support of the *Hurkaru* in defending the propriety of the Government Order of the 26th ult. relative to "marked or punched" rupees. By the bye, our contemporary being so fond of precision in words we beg to ask him whether he has rightly designated this order being the signature of a Secretary to Government, by terming it a Regulation. But our contemporary, in his strictness of interpretation, does not conceive that it is allowed to *scratch* a rupee in order to ascertain its genuineness. This latitude, he says, is on no account sanctioned or approved of by Government." To shew that we were wrong in supposing that a man might now prove the coin with a *scratch* without putting it out of circulation, our contemporary quotes the words of the third Section of Act No. XVII. of 1835 of the Indian legislature, which, as he has omitted four words tending to help out his argument, which for distinction sake we print in italics, we will here insert:

III. And be it enacted, that the Company's rupee, half rupee, and double rupee, shall be legal tender in satisfaction of all engagements, provided the coin shall not have lost more than two per cent. in weight, and provided it shall not have been clipped, or filed, *or have been defaced* otherwise than by use.

He begs particular attention to the words. We *are* as attentive as he could desire, and do not perceive any interdict to our scratching every rupee that may pass through our hands. The prohibition is limited to rupees *clipped*, or *filed*, or *defaced* otherwise than by use. A slight scratch is no defacing of the coin: if it were, many a rupee would be defaced *by use*, for it would be impossible to prevent accidental marks of that kind. But why refer at all to the Act when it is modified by the same authority which passed it? We have only now to do with the wording of the Regulation (as the *Harkaru* terms it) of 26th April, 1837, wherein it is ordered that "the officers in charge of Government treasuries shall not object to receive rupees or other silver coin of legal currency on the ground of their being marked *or punched*." *Marked* or punched!—what is a *scratch* but a *mark*? So then we were correct even to the letter and our contemporary is also wrong in saying that "clipt, or filed, *or punched* rupees are not legal tender"—we mean as to the words in italics. Indeed it was to remove doubts upon this very point that the order of last month was promulgated. The natives were in the habit of testing a rupee, when wanting (as many are,) "that silvery argentine not given forth upon compulsion by its purer sisters," *by nicking* it on the edge, thereby not depriving it of any part of its weight; others put their stamp upon the coin with a punch. The Mint Master was under an impression that this was a defacement contemplated in the words of the Act, whereas

the practice of so marking the coin was no fraud and no injury to the public or the State, since it caused no loss of weight as in the clipping or filing it. Hence then the recent order which our contemporary has so misinterpreted.

The *Hurkaru*, being determined to set every body right, after dealing with the *Englishman* and the *Courier*, points out an "important misstatement" in "the book called *Prinsep's Useful Tables*, published by the Assay Master of the Mint;" in which it is stated, that "All silver money of the new Standard (with a straight milling or plain edge) is considered *by law*, as of full weight, until it has lost by wear, or otherwise, 2 pie in the rupee; or in round terms one per cent." Here, says our contemporary, "it clearly appears that the Government and the Assay Master are at variance," Section III. of Act XVII. of 1835, having said that all rupees are good weight until they have lost two per cent. by *fair* usage, and therefore that "the Government is more liberal than its officer by one hundred per cent." Now if our contemporary had but consulted the title page of Prinsep's Useful Tables, he would have found that the date of publication 1834, was a full year anterior to the promulgation of the new Coinage Act, and that the title page was embellished with a design for the British India rupee not then determined upon. When a second edition shall be published, which we believe is in contemplation, due notice will no doubt be taken of the altered state of the laws affecting the coinage. —*Calcutta Courier, May* 18.

THE LATE FIRES—LOSS OF LIVES AND PROPERTY.

The late fires have elicited, as they naturally would do, much notice in the public prints. Several cleverly written letters have appeared, the Police is abused, and the poor natives are now labouring under the hideous charge of *incendiarism*! The dealers in the materials necessary for the construction of the native huts are made out, by all sorts of witty gentlemen who lucubrate in print, to be neither more nor less, than a joint stock association for the committal of *arson!* The man who happens to sell *bamboos, beanstalks, gransticks, straw*, and other hut-building materials, is, according to the doctrines broached at present, convicted *ex officio* of incendiarism! He wishes to get rid of his wares on hand and, *therefore*, is it coolly asserted that he will not scruple to commit the capital offence of arson. His love of gain must surely be of a very acute nature when, rather than not sell his goods, or read the fruits of labour in his vacation, he will at once plunge headlong into the commission of an atrocious offence, and will thus heedlessly put in jeopardy the lives of his fellow Hindoos and creatures. This is contrary to human nature. No man nor set of men become at once, from selling gransticks and straw, burners of houses, and, in point of fact, *robbers and murderers*, as they are now described.

Quel quis, crimes toujours précédent les *grands crimes*!
Et jamais un n' avu temaide innocence,
Passer tout dun coup, a l' extreme licénce.

The *charge* made, as it is, in a drolling, facetious, and devil-may-care manner, is, nevertheless, so grave in its nature and so utterly repugnant to our feelings and convictions, that we cannot let it pass without examination. *Some* of the fires, we are led to suppose,—and we have already in a former notice of the subject stated the fact,—*may* have arisen out of incendiarism; and, as we have said above, supposing our reporters account of the case alluded to to be *correct*, the individual was in question clearly an incendiary. He may, however, have been actuated by private motives of pique, jealousy, or other causes; and it is an adoption of the *argumentum per saltum* with a vengeance, to jump to the conclusion, unsubstantiated by a spark of evidence, that for as much as one individual has been once and again imprisoned on charges of incendiarism, that, therefore, every *gharamee, goldar*, or in whatever other name they may rejoice, are in combination, league, and covenant to commit an atrocious crime—a crime at variance with the manners, habits, and feelings of this population the most gentle and ductile probably that exists? a crime destructive of life not only in animals, but in human subjects, and therefore at variance with every precept of their religious notions and principles; a crime, in a word, the dreadful consequences of which must present themselves to the mind of the most stupid and the most interested, involving, as it does, the destruction of life and property. Let us now quietly examine the grounds upon which this accusation of whole classes is based. One man, on the authority of one report, the correctness of which we question, albeit in our own columns, is convicted, and sentenced to imprisonment for incendiarism: convicted, moreover, *coram non judice*, if the charge of arson *were* proved. His former conviction is not particularized, and the Magistrate who committed him is not named; and we cannot frame to our conscience the belief that two Magistrates could at two several times make the extraordinary mistake imputed to them,—that is, they could not be so absurd as to give six months' imprisonment in punishment of a crime they were not empowered to try! The 114th section of the Indian Criminal Act provides for the crime in question. The case was a case for the Sessions. Our reporter, we feel assured, was mistaken in one or both of his statements. The alternative of being compelled to shift the misstatement to the shoulders of the Magistrates is too shocking

We cannot suppose it possible that such an occurrence should have taken place. The onus of the affair must, therefore, until cleared up, rest on the shoulders of our reporter; let him exculpate himself, or explain as soon as he may.

It matters, however, not a jot to our present purpose whether or not such exculpation ever take place. Taking our statement of the fact to be correct, *what* is the deduction from it. Why, that one case of incendiarism has been proved. That will not, in conscience or in reason, suffice to enable people to make against a whole class of men so cruel a charge, upon the authority of this one case. Than, again, *why*, we would ask, is this spirit of incendiarism more agog this year than in previous years? Why have the conflagrations, according to all accounts, exceeded ten-fold the burnings of former years? Are we to presume that the stock on hand of straw and *granstcks* necessitated a greater consumption of huts, to give employment to the sellers of this material, and to give work to those who construct the huts? The demand for huts is on the increase: every spot of ground, according to the *Reformer*, in the populous neighbourhoods is filling—*even* the very tanks have been built over, either to make room, or to get rid of maisma. But be the cause of the increasing inhabitants of the waste grounds what it may, surely the persons who sell the hut materials have no temptation to *burn* in order to increase their demand. Their policy would have been to have let well alone; but materials were never so much sought after as lately. The demand and supply in these sort of materials very soon find their level; and supposing a stagnation in the straw and granstick department, it surely is a singular expedient to adopt, on the part of the *merchant*, viz., that of burning his *own* hut, as well as that of his neighbour, together with his deposit of wood, straw and other hut materials, by way of increasing the demand! The of crows and kites is also called into requisition to support this incendiarism theory. This form of illustration of proof is certainly very ingenious, but it has but an apocryphal appearance after all—the poor dear crows love not the bazaars; and the parable of the kites, and their droppings, is old womanish. The *chances*, as any member of the Jockey Club, or any reader of Bernouilli, will tell the Dads and Gossips, who dote on the notion of incendiarism, are deucedly against the kites, crows, and goldars, and in favour of the sun, dryness of the hut thatch, and the habits of cooking and smoking of the natives. We copy the observations of the *Reformer* on this branch of the subject, and we will put to the good sense and good feeling of people, when they shall have gotten rid of their fright, whether or not the probabilites are not decidedly against the doctrine of incendiarism? We will give them a better recipe for causing a conflagration than the problem of the kites and crows and curry bones. For instance, take any given straw hut, in any given bazar, surrounded on all sides by similar straw huts, and filled by natives of similar habits to those who inhabit one given hut. Take it that a man, his wife, her sister, and three children want to eat their dinner. Take it that they light a fire preparatory to cooking the said dinner. Take the sun to be anything like a Bengal sun in March and April, and suppose the straw of the roof, and the matting of the sides of the hut, to be in the happy state of tinder, and ready for almost spontaneous ignition, in which is necessarily every hut at this present moment of our writing—that is we mean in which every hut was before it was burnt down. Take the numbers of sparks from the cooking apparatus, the chances of hubble bubbles upsetting and of ghools rolling under the matting, and let any arithmetician set about the calculation. Let him take fifty huts, and the sparks from fifty cooking fires, and let him find the probable amount of ignition of thatch in consequence. Let *him* then take the hookah, hubble bubble and ghool accidents in consideration, and add the the two amounts of probabilities of ignition of huts proceeding from these two causes together. Let him then calculate the kites and crows and curry-bones, and ignited *solah*, and the proable flight of the crows, and the prospective droppings of the kites: let him find the product, and compare it in the sum of probability to the product of probabilities before obtained by the cooking spark and hookah calculation. Let him, moreover, calculate the amount of impelling motive in the crow, kite and curry-bone incendiary, and the counteracting cause in the vigilance of the inhabitants of the huts to protect their property. Let him take any reasonable given amount to represent the *vis inertiæ* of the Police, and yet we defy him to say that general result of the calculation would not turn out in favour of the cooking sparks, ghools, and carelessness of the lenisens of the huts, as the causation of the conflagrations—in opposition to the doctrine of the kites, crows, and curry-bone causation. What are the Police about is the next question.

And how, if all this *goldar, gharamee*, conspiration is going on is it that but one fellow has been caught in the fact! The Police may be great faineants, we know nothing on the subject; but we can not suppose that the incendiary system can have been going on for three weeks past, and that their vigilance should not be stimulated to something like activity—and yet *where* are the incendiaries? We have not time for more at present; but this talk of incendiaries is very like a story of a cock and bull, of which we all have read.

We had just written this when COMMON SENSE came to hand; we publish him.

To the Editor of the Bengal Hurkaru,

Sir,—I was sorry to read in your generally well-conducted and sound-principled paper, some observations from a correspondent respecting the late fires, which are far from creditable in my opinion, to the writer. When

large bodies of people are under excitement from loss sustained or injury inflicted, they are always too ready to find or make victims, and to revenge themselves on the first parties they can meet with, at once transferring, by a common process of the mind, all the guilt of the crime on the accused, and leaving small room for the exercise of reason or justice. In former days, the ignorant peasantry of Europe, under a similar impulse, seized and burnt the first old women they could catch, to console themselves for the loss of their cows or pigs; and your correspondent and the Editor of the *Englishman*, seem to me to be labouring under the same sort of blind, reckless fury against the sellers of grass and mats. Without making vague, general charges against any class of the inhabitants, there are quite sufficient data to explain the cause of these calamities, and I am surprized rather at the rarity than the frequency of their occurrence. You have a large population crowded into a narrow space, living in houses of the most ignitible materials, cooking and smooking in them at all hours, and proverbially careless and unreflecting; and for the last fortnight gales of wind constantly blowing. Here are elements enough, without idle, unsubstantiated accusations.

But if the grass and mat sellers were the incendiaries, how comes it, they do not prefer the night for their operations, when the chances of detection would be immeasureably less than in the day, when the inhabitants are all in motion and the police engaged in watching the streets?

I am, Sir, your obedient Servant,

COMMON SENSE.

More than ten thousand houses must have been destroyed by fire during the last fortnight, and we hear that the loss of lives is more than stated the above. A gentleman of our acquaintance, who visited some of these scenes, states that at Nabahka Bagan, near Taltulla, he saw the corpse of a man who had fallen at the foot of a pucka wall in attempting to make his escape from the flames which must have surrounded the place. He also saw Moonshee Bazar, mentioned in the above account. When our informant visited the scene of horror, seven of the corpses had been taken out of the ruins, three of which were claimed by, and delivered over to the surviving relatives of the deceased; but four were burnt to such a degree as to defy every attempt at identification; the limbs had been totally consumed and no feature could be distinctly seen. The head of one had burst, and the bowels of another exposed to the sight by the absence of the abdominal coverings which had been consumed. These remains of the human form divine presented the most horrific spectacle which the imagination can pourtray; they seemed almost entirely carbonized.

If any thing deserves the attention of the municipal authorities, and indeed of Government, it is the causes which produce such dreadful calamities, and the means that may and ought to be adopted to remedy, or at least to check, the evil in future.

For the pre-disposing cause of these extensive conflagrations we may look to the manner in which the habitations of the poor are located, the materials of which they are built, and the inefficiency of the means to check the onward progress of the devouring element, when once fanned into action by the high winds which prevail at the season. The scarcity of ground in the town and its immediate environs, causes the poor to crowd their huts together so as to leave as little space between them as possible. Owing to the same cause the tanks, which used formerly to be found in almost every part, have been filled up, and huts built on their sites. The fires which have occurred from time to time have destroyed the trees which grew among these huts. Thus it now happens that there are extensive spots in Calcutta and its immediate environs occupied by huts, erected close to each other, and scarcely affording any proper passage between them. The roof of these huts are generally of straw, hooglah, or gol-putta, and their walls of mat work. These materials, when dried by the intense and continued heat of this season, are brought to the state of tinder, ignitable at the communication of the smallest spark. The inhabitants of such bul hars as these are obliged to cook their victuals in them, and are in the habit of constantly smoking, and frequently of placing against their mat walls, the hookah with the burning chillum upon it. This they do because the hookas, made of the cocoanut shell, being conical towards the base, cannot be set upright of itself, and in no other position can it be kept without losing the water in it run out and wet the place. The fire which the poor use for smoking is not of the *gool* or the *tika* used by the better sort of people, but of the materials with which they cook their victuals. These fires are continually producing sparks which in this windy season, in houses exposed on every side, are unavoidably flying about in every direction, and frequently fall on the mats of the walls or rise up by the wind to the roof of the huts, which instantly take fire: and when one hut is in a blaze, all those situated close to it and to each other, are sure to meet the same fate. The flame spreads over them with incredible rapidity, and in a few minutes the whole becomes a sheet of fire. The possibility of saving property under such circumstances is out of the question, and the saving of life itself a difficult and uncertain matter. The fire from such materials, when agitated by the high southerly wind, is dreadful in its actions. Masses of flaming straw are seen to rise out of the firey gulf to the height of several hundred feet, and in that state to be carried away by the wind in every direction, and many of them alight while yet burning on other huts to the leeward, and set them on fire. Thus a fire,

which commences in Bhobanipore or Short's Bazar at the southern extremity of the town, is carried to Mahicktollah, Hauteollah, and even further north, making its whole course with ruin and destruction.

These are the causes to which must partly be attributed the occurrence of fires in different parts of the town at the same time and not so much to the villainy of incendiaries. We are not justified in proscribing all dealers in materials of which these houses are constructed, nor those who earn a livelihood by constructing them; the *golahs* of the former, and the houses of the latter, are as much liable to destruction by fire as the houses of any other class, and we cannot suppose that these people's interest would be much promoted by causing conflagrations. In the fires of last week, a great many golahs, situated near Moulalley's Durgah on the Circular Road, were destroyed. With such facts before them they must be worse than fools to set fire to huts.

We really find a very great difficulty in suggesting any practicable remedy for the prevention of such calamities in future. That which generally occurs to all is, that these houses be constructed of graun-sticks plastered with mud, called *cohlita borah*, and the roofs be tiled. There are, however, objections to this. Tiled houses are in this weather extremely hot: the action of the sun makes them like ovens, whilst the straw thatched huts are cool and pleasant enough for the poor. In the rains a tiled house is seldom without leakage, and the stopping of these leaks is a source of continual trouble. Besides which, the building of houses in the manner here recommended, costs more than double of what these houses require, which to the poor,—particularly now that they are reduced to the utmost misery by the destruction of all they had,—is a most important objection. We are, however, glad to learn, that in some few spots occupied by people of a little better sort, the inhabitants have determined to have all their houses built in the manner here recommended. But their future safety will be precarious if any among them dissent from such a resolution and determine to build of mats and straw.

Another plan suggested is, that as the sites of the houses lately destroyed are now vacant, orders be issued to leave proper passages and spaces between the huts when they are rebuilt, which, if it does not prevent the destruction of these buildings, might at least afford, in future, the means of saving life and property. It is also suggested by some that rows of plantain trees be ordered to be planted on the sides of the huts. These trees acquire their full height in one year, and would afford by their broad leaves an agreeable shade and some protection against the communication of flame from one house to another while their produce in fruit, leaves, &c., which are all used by the natives, would more than cover the cost of young plants, and the little attention required in rearing them. The commencement of the rains is the proper season for planting these trees, and it is suggested that if orders were issued to build these huts at a proper distance from each other and to plant trees at the proper season, some check migh be put to conflagrations in future.

Another suggestion is, that Government cause deep tanks to be dug in different parts of the localities occupied by huts, which would afford not only the means of supplying the engines and the people with water when fires occur, but their sides would afford places of safety for the people and their property on such occasions. Besides these, tanks would be a source of great comfort to the people throughout the year, and being under the eye of the municipal authorities, would not be permitted to become stagnant or unhealthy. It is also suggested that the cutcha drains which run along the lanes of these places for the exit of rain water, be dammed up at different convenient parts in the season for fires, and the pucka aqueducts along the principal streets be provided with keys, so as by opening them, to pour out their contents in a moment in the dammed cutcha drains; and thus on occasions of fire, bring water in a moment to every part of the localities occupied by huts, and offer a ready means of quenching the flame. The aqueducts should be kept full at all times, and a very great increase of engines and firmen should be sanctioned. There ought to be at least two well manned engines at each Thanah and more Europeans employed to superintend their operations. Individuals might be selected from the invalids for such a duty, and employed at a very small increase to their military allowance. Most of the native engine men and bhistees could be discharged at the setting in of the rains and entertained again at the commencement of the hot season.

Any of the above measures adopted singly would scarcely produce the desired effect; but if they were all to be acted upon with such additional measures and modifications as might be found necessary by the municipal authorities, we have every reason to believe, such calamities as we have witnessed during the week, would be effectually prevented. The expense which the adoption of these measures must involve, when compared with the loss of lives and property caused by conflagrations, would be but dust in the balance. We therefore trust the authorities, entrusted with the municipal control of the town, will turn their attention to this subject, and lose no time in adopting some effectual measures for the prevention of such dreadful calamities in future. Incendiaries, when detected, ought to be punished in the most exemplary manner.—*Reformer, April* 30.

At the risk of disturbing the armistice subsisting between the *Hurkaru* and ... must notice a facetious article which adorns

the former journal yesterday, because it appears to us to be levelled at some of the gentlemen who have hinted, in this paper, at the possibility of the recent fires having originated in incendiarism. The writer in the *Hurkaru*, who for lack of phraseological strength deals much in italics and notes of admiration, thinks that there is sufficient demand for granstieks, bamboos, and thatching, to render the necessity for a resort to arson, for the purpose of encreasing the business of dealers in these articles, quite superfluous. He rejects the supposition of wilful incendiarism monstrous; and submits the following interpretation of the frequent conflagrations as more rational than those offered elsewhere:—

"For instance, take any given straw hut, in any given bazar, surrounded on all sides by similar straw huts, and filled by natives of similar habits to those who inhabit one given hut. Take it that a man, his wife, his sister, and three children want to eat their dinner. Take it that they light a fire preparatory to cooking the said dinner. Take the sun to be anything like a Bengal sun in March and April, and suppose the straw of the roof, and the matting of the sides of the hut, to be in the happy state of tinder, and ready for almost spontaneous ignition, in which is necessarily every hut at this present moment of our writing—that is we mean in which every hut was before it was burnt down. Take the numbers of sparks from the cooking apparatus, the chances of hubble-bubble upsetting and of ghools rolling under the matting, and let any arithmetician set about the calculation. Let him take fifty huts, and the sparks from fifty cooking fires, and let him find the probable amount of ignition of thatch in consequence. Let him then take the hookah, hubble-bubble and ghool accidents into consideration, and add the two amounts of probabilities of ignition of huts proceeding from these two causes together. Let him then calculate the kites and crows, and curry bones, and ignited *solah*, and the probable flight of the crows, and the prospective droppings of the kites: let him find the product, and compare it in the sum of probability to the product of probabilities before obtained, by the cooking spark and hookah calculation. Let him, moreover, calculate the amount of impelling motive in the crow, kite, and curry-bone incendiary, and the counteracting cause in the vigilance of the inhabitants of the huts to protect their property. Let him take any given amount to represent the *vis inertiæ* of the Police, and yet we defy him to say that the general result of the calculation would not turn out in favour of the cooking sparks, ghools, and carelessness of the denizens of the huts, as the causation of the conflagrations, in opposition to the doctrine of the kites, crows, and curry-bone causation."

This is all very droll, exceedingly droll, but, like many other pleasantries, it proves nothing. If all the talk about hobkahs, hubble-bubbles and the sun in March and April were any thing to the purpose, the question would naturaly arise, "how is it that the same causes have not produced the same effects in former years?" Our contemporary admits, that these conflagrations are peculiar to *this* year; but while he makes use of the fact to prove that the motives of incendiarism now are not more numerous than they were before, he entirely loses sight of the operation of the same fact upon his own conjectures. We say again, in common with some of our correspondents, it is our belief the extensive destruction recently reported must have originated in human agency. It *may* not have had its source in an anxiety to encrease the demand for hutting materials, but there are other ways in which designing men may take an advantage of a fire, and the confusion springing from it, without reference to their supposed trade.

Our contemporary seems to regret having censured the magistrate for the six months' imprisonment, and now wishes to establish a case of error on the part of his poor reporter! We should hardly have expected this display of tenderness for the fame of a blundering justice, did we not know that *some* justices have it in their power to render occasional services, which unaided reporters cannot always perform. However, it is amusing to find the *Hurkaru* professing ignorance of the magistrate who committed the incendiary two days after he (our contemporary) had expressed his delight (on the *serve him right* principle) at the burning down of Mr. O'HANLON's stables!—*Englishman, May* 4.

In another column we publish a letter of the Chief Magistrate, addressed to the Secretary for Bengal, enclosing, it would appear, a petition from a Mr. Harris, and a report by Lieut. Abercrombie, the one and the other being on the subject of the *frequent fires*, which at this season of the year occur in Calcutta. The proposition included in the petition, and in the official report of Mr. Abercrombie, is, we believe, to the effect that Government should make some order, rule, ordinance, or regulation, whereby all persons should be prohibited from erecting straw huts, with thatch rooflings, within Calcutta; and the Chief Magistrate gives it as his opinion, that such a demand, on the part of the inhabitants of the puckah houses, and of Mr. Abercrombie, ought not to be complied with. He has not given his reasons at any great length, but such as he has chosen to put forward do not appear to us, to carry much force or cogency with them. In paragraph 3d of his letter, Mr. Macfarlan says; that a law similar to that required by Mr. Abercrombie was repealed in the year 1780. We give the law and the repeal; the reasons of the repeal of it we have not been able to get at:

XXI. Directs the mode of proceedings for summoning juries, &c.

XXII. No persons shall build or erect within the said settlement, any tenement,

dwelling, house, &c. or cover, or thatch the same with any combustible materials.

XXIII. That no tenement, dwelling, house, &c. constructed or covered with any combustible materials, be allowed to stand or be within the said settlement.

And if any tenement, dwelling house, &c. shall be erected with such materials, the surveyer shall pull down and demolish the same, and any person building and erecting such houses, with such combustible materials, may, on complaint by the surveyor, be summoned before a justice of the peace, and on conviction, shall forfeit for the first offence, a sum not exceeding fifty, nor less than five sicca rupees; for the second offence not exceeding one hundred and not less than twenty sicca rupees; for the third and every other offence a sum not exceeding five hundreds, nor less than one hundred sicca rupees, to be levied by distress and sale on the offenders' goods and chattels, where offenders shall have no goods and chattels, for the first offence to be committed to the House of Correction, and kept to hard labour not less than one month, nor more than three months; for the second offence, not less than three months, nor more than six months, for the third and every other offence, not less than six months, nor more than twelve months.

Provided that nothing herein contained shall extend to a certain brick building thatched with straw, erected on the west side of the great tank, within the settlement, used as a riding school, so long as the same shall be continued to be used as such.

XXIV. That distress and sale for enforcing the penalties aforesaid shall be made by the Sheriff, or his Deputy, by authority, under the hands of any two of the said Commissioners.

XXV. Costs and charges incurred in carrying this Rule, Ordinance and Regulation into execution, shall be paid by the Commissioners out of the funds to be raised in manner herein mentioned.

N. B. This Rule, was on the motion of Mr. Newman, Counsel for the on Horable Company, on the 8th of January, in the year 1781, withdrawn, and stands repealed by the 38th section of the Bye law of the 1st February, 1781.

Some of the *oldest inhabitants* can perhaps inform the world as to the state of Calcutta in the year 1780, and how far such a law was then necessary. It would be desirable that it should be known, whether the number of pucka buildings in the heart of the town did in any degree equal their present number; and whether, in a word, their existed at that time the same immense population, whose huts huddled together, in one almost undistinguishable and unextinguishable mass, made it next akin to an impossibility to check the progress of fire. The judge from the information given by the *Reformer*, whose article we copied yesterday, the state of things at present, differs widely from what it did a few years back. All lines of separation and of demarcation among the native erections, have been effaced, by the demand for ground to build upon; tanks have been filled up, trees have been felled, and the possibility of cutting off a set of huts in conflagration, from the neighbouring huts not yet on fire, has become an attempt of insuperable difficulty. The law, therefore, when it was repealed, may have been unnecessary, and under such circumstances it was not imperative on a Government to interfere with the taste of the natives, in building their simple domiciles. Straw and thatch have, we believe, their advantages over mud walls and tiled roofings during the period of the hot weather; and there is some slight difference in the expense; the latter description of erection being the more costly of the two. This has been said, but we incline to think, that with reference to the effect of the sun upon the two descriptions of roof, it can be of prodigiously small consequence, as affecting the *comfort* of the inhabitants of the huts, whether they be sitting under the one or the other: with a thermometer at about 120° Fahrenheit, at the very least, such minute grades and distinctions in temperature, as may be discovered to exist between the degrees of heat incurred under the straw roof and the tiled covering, cannot, we think, be very material, and ought not to weigh with the executive power occupied in deliberating on the means of preserving from danger the lives, and from destruction the property, of its subjects.

The only question is, what is for the ultimate good and benefit of all classes of the population; the interest of each of which, are momentously (if we may coin the adverb) affected by the consequences, is one description of hut be permitted to obtain, instead of its existence being made the subject of legal prohibition.

Mr. Macfarlan, in the fourth paragraph of his letter, evinces any thing but sympathy for the sufferers, who happen to inhabit puckah houses in the vicinity of the huts. "What business have the pucka buildings to intrude their company upon the pretty, little, baby houses of the natives?" asks his worship; "it serves them right if they do get burnt!" Now, this from a member of the conservancy department, and of the Calcutta improvement committee, (we believe) is certainly an odd sentiment to make public; we should have thought that much good was likely to be the ultimate consequence of this close communication betwixt pucka, cutcha, and straw, and the proposition involved in the sentiment appears to be this: either the wealthier portion of the Calcutta population, must cease to build in Calcutta, or the native population must, to a certain extent, be expelled, in order to make room for the increasing European and East Indian population; in short, it would seem that an improvement in the habits, and an

increased desire for the decencies and comforts of existence, exhibited by the pucka building inhabitants of Calcutta, is looked upon by Mr. Macfarlan, not only with indifference but with dislike. The houses encroach upon the space, formerly occupied by the huts, and our whorty chief Magistrate, instead of rejoicing in this apparent progress of wealth and civilization, contents himself with observing sulkily, the owners of the houses, when they get burnt out, *have no right to complain of an evil of there own seeking!* This is the whole amount of sympathy which he can afford to the sufferers. It is quite clear, to us, that Mr. Macfarlan is not aware of all that has taken place. Let him peruse the animated descriptions, so full of fire and fine writing, with which such some of the gentlemen of our establishment have lately favoured us, he will then see what a demand is made upon his sympathy, and how very small is the supply he has as yet afforded.

We pass over the 5th and 6th paragraphs of the Magistrate's letter, and come to his concluding observation. He says the Supreme Government would not be disposed to sanction a law (such as that we have above printed) "which would trench so invidiously upon the liberty of the subject to use his property, in the manner to him seeming fit."

Now, with respect to this latter proposition, coming as it does from authority, we should have much to say. Indeed, we have half a mind to question altogether the orthodoxy of the position. The right of every individual to do what he pleases with his own, has always been understood, to be a right to be exercised "*sub modo.*" Individual privilege must be under that degree of restraint which the public interest requires; use your own so, that ye act not to the prejudice of your neighbour, *utere tuo*, and so forth: the worthy Magistrate, however, appears to contend that notwithstanding the infinite danger to life and property, which the experience of years has shewn to be consequent on the present mode of building the native huts being permitted, yet that to pass a regulation, enjoining the substitution of mud-walls and tiles, for the present materials, would be to infringe upon the right of individuals to construct what sort of huts they have a mind to. Considering how very familiarly acquainted the Magistrate must be with Mr. Smoult's collection of the Bye-laws enacted for Calcutta, we cannot conceive, but that Mr. Macfarlan must have been in a sort of waking dream when he wrote or dictated the paragraph containing this proposition. Not to trouble our readers with any general principles on the power of the executive to interfere to protect the interests of the majority, albeit at a sacrifice of the natural rights of the minority, in all communities, we will at once cite a case in point. As a precaution against fire in London, every house is, by act of Parliament, (14th Geo. 3rd c. 78, called the building act) to have a party wall erected between it and the adjoining house, the expense of the party wall to be shared by the two proprietors, according to the respective size of their houses; that is, if one man builds a three-storied house, he has to build a party wall on either side of it of a certain thickness and should his neighbours build smaller houses adjoining each party wall, they are called upon to contribute towards the expense of the party wall next to them, in the proportion of the size of their respective houses. Now, here is an interference by the Executive with the right of individuals, to build as they please, and an interference to of a nature likely to produce endless discussion and litigation, and yet no one ever thought of calling the right in question. The same right of interference is of course exercised by the Government: and almost every page of the Bye-laws contains an instance of this sort of interference:—the amount of gun-powder to be kept in the house by those who vend it: the necessity for a license to erect enclosures on the highways before or on the sides of buildings for the purposes of repairs: the fines imposed for encroachments on the public streets: the right vested in magistrates to make roads and drains, and to *compel* a sale of property, where the demolition or acquirement is necessary to enable them to carry them purpose into effect: the prohibition to carry arms in Calcutta, without a licence. All these clauses in the Bye-laws are interferences, on the part of the executive, with the natural rights of individuals, and a bye-law to regulate the building of huts, would in no wise be more subversive of natural and individual right than are the bye-laws already in existence. The objection that it would be necessary to make compensation to the owners of those huts already erected, is very trifling in the present state of affairs. There are but few huts now in use, and the Government who could pass the Black and the Sudder Aumeen appeal acts, is not very likely to entertain Mr. Macfarlan's scruples, on the subject of interfering with the rights of individuals. The expence to the poor native, supposing the additional expense of the tiles and mud to be worth attention, is perhaps an objection.

Such an objection is, however, we think, more than counterbalanced, by the probable improvement likely to arise, in the increased demand for comfort and in the stimulous to industry, which a superior description of domicile would possibly generate. The man who can get a straw hut, his chilum, and his meal, is content, and with the constitutional apathy of the native, is likely to remain content from generation to generation. Whatever gain he makes, adds nothing to the improvement of his domicile or of his habits. A Government regulation on the subject of domiciles, would in all probability stir up the population; and if there should exist in the minds of any that degree of prejudice for straw and thatch, to the exclusion of mud and tiles, why let them remove their tenements a little further from the centre of civilization; let them have assigned unto them

bounds within which they may not bring their straw and thatch, to their own manifest danger, and to the great peril of the denizens of the pucka and cutcha habitations. We see a prospective good in the introduction of the new system of erections, without any ill consequences likely to result from it, and we give the subject our humble notice and conscientious advocacy.—*Bengal Hurkaru, May 4.*

To Ross D. Mangles, Esq.

Secretary to the Government of Bengal.

Sir,—At the urgent request of Lieutenant Abercrombie and of a Mr. Harris, a respectable inhabitant of Colinga, I have the honor to lay before you, for the information of the Governor of Bengal, the accompanying petition by Mr. Harris, and report by Lieutenant Abercrombie on the subject of the frequent fires occuring annually at this season in Calcutta.

2nd. I add an extract from the fire report book, shewing the number of houses destroyed during the last year and a half. (*a*)

3rd. I observe from Mr. Smoult's vol. of Calcutta Bye laws, page xxiii, that a law of the nature required by Lieut Abercrombie existed in 1780, and was repealed.

4th. I remark that in the ordinary course of affairs the presumption is that the puckhahouses pass into the neighbourhood of straw huts. Ordinarily straw huts will not be found to encroach on limits formerly occupied by puckha houses, but the reverse. It is the puckha houses that bring themselves into the neighbourhood of the straw huts. The owner of the houses therefore complain against an evil of their own seeking.

5th. In a late fire at Jackson's Ghaut, valuable screw houses, belonging to Messrs Watson and Co., were in jeopardy. I was engaged in superintending the extinction of the fire, and told Mr. Gibbon to petition against such inflammable property as that which was burning being allowed to exist close to godowns, well stored with valuable merchandize. I understood that he declined petitioning, from discovering the fact that the bulk of the people whom he would ask to petition were themselves holders of similar property. In the event of any such law as Lieuetnant Abercrombie desires being passed, it would be necessary to indemnify the owners of straw huts for their property destroyed, or to watch minutely the erections of new ones, allowing a period of so many years for the gradual decay of such huts: either course would be expensive and invidious.

6th. There are often straw huts in the plots of ground attached to Calcutta houses; the law, I suppose, would not touch these: but how are we to draw the line?

7th. Upon the whole, I presume Government would not be disposed to sanction a law which would trench so invidiously upon the liberty of the subject to use his property in the manner to him seeming fit.

I have the honor to be, Sir,

Your most obedient Servant,

(Sd.) D. McFarlan, *Chief Magistrate.*

Calcutta, Police Office, April 7, 1837.

P S I beg to transmit also memoranda prepared by the assessors of the comparative number of houses of all descriptions in the town.—*Bengal Hurkaru, May, 4.*

We have ascertained, from the most accurate investigation of which the subject admits, that the number of houses which have been burnt in the town and suburbs of Calcutta, from the 1st of January of the current year, to the 1st of the present month, is 8,030; the number of lives lost in consequence of these fires is 39; and the estimated value of the property thereby destroyed, is rupees 5,18,950. Thus we find that in the short space of four months, has occurred a loss of life that is in itself truly dreadful; whilst the loss of property to so great an amount, is felt in its severest extent as it falls upon those who are the least able to replace it. We will not at present re-argue the question of causes, as connected with these fires, as it is perfectly clear that if we are mistaken in supposing that they are generally *not* the work of incendiarism, it will only go to prove that there is one more cause than the many that we have enumerated, and consequently that there exists one more good reason for rendering the dwellings of the natives in the town and suburbs, less liable to ignition. Whether the "hideous ruin and combination dire," originate in the wickedness of straw merchants, thieves, and incendiaries, or in the negligence of natives does not affect the necessity of rendering the native dwelling a less inflammable abode. It is said, and has doubtlessly been said for many years past, what should occasion so many more fires now, than formerly? The answer to this is perfectly plain. The huts are every year encreasing in number, are every year more closely wedged in together, and thus, whilst the danger is greatly increased, the means of prevention, and suppression, are in the same degree diminished.—*Bengal Hurkaru, May 5.*

(*a*) Up to 1st May 7174,—actual number 48,049.

FORT WILLIAM, LEGISLATIVE DEPARTMENT, THE 29TH MAY, 1837.

The following Draft of a proposed Act was read in Council for the first time on the 29th May, 1837:

ACT No.— OF 1837

I. It is hereby enacted, that every house and out-house built within the City of Calcutta, after the 1st day of November, 1837, shall be covered with an outer roof of incombustible materials, and that if any house or out-house be built in contravention of this provision, the owner of such house or out-house shall on conviction before a Magistrate, be punished with a fine not exceeding 100 rupees.

II. And it is hereby enacted, that it shall be lawful for the Superintendent of the Police of the said City, from the date of the passing of this Act, to tender to the owner of any house or out house within the said City, which house or out-house may have been built before the said 1st day of November 1837, and which may not be covered with an outer roof of incombustible materials, a sum of money to defray the expense of covering such house or out-house with such an outer roof, and that if the owner of such house or out house shall accept the sum so tendered and shall engage that such house or out-house shall be covered with such an outer roof within a certain time, and shall not within that time cause such house or out-house to be covered with such an outer roof, such owner shall, on conviction before a Magistrate, be punished with a fine not exceeding ten times the sum so accepted by such owner.

III. And it is hereby enacted, that if any house or out house shall be built in contravention of the provisions contained in Section 1. of this Act, or if any owner of a house or out-house shall refuse to accept a sum of money tendered by the said Superintendent in the manner described in Section 2 of this Act, it shall be lawful for the said Superintendent to cause such house or out-house to be covered with an outer roof of incombustible materials without the consent of the owner thereof, and to cause such alterations to be made in the walls of such house or out-house, as may enable such wall to support such outer roof, and to defray the expense out of any funds which may be put at the disposal of the said Superintendent for that purpose either by the Government or by any private person or body of private persons.

IV. And it is hereby enacted, that whoever shall wilfully obstruct the said Superintendent, or any person acting under the authority of the said Superintendent, in the exercise of the powers given to the said Superintendent by Section 3. of this Act, shall, on conviction before a Magistrate, be punished with a fine not exceeding 100 rupees, in excess of any punishment to which the person so obstructing may be liable by reason of any other offience which he may commit in the course of of such obstruction.

V. And it is hereby enacted, that all fines levied under the authority of this Act shall be paid into the General Treasury, and shall be applied to the purpose of defraying expenses incurred in carrying this Act into execution.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 3d day of June next. —*Bengal Harkaru, June* 1.

We have already had occasion to call attention to the new Building Act, to the provisions of which we took sundry objections. The Act is now published for General information unaltered in any of its defective and absurd provisions, and consequently entitled to hold its head high in air, and to take rank with several of its predecessors which have issued from the Calcutta workshop of Legislation. As this Act now stands, the whole of Calcutta may be rebuilt after the old fashion: that is to say, the huts may be made of combustible materials, (provided they be built before the 1st of November next) and those who build have only to refuse to receive the sum tendered to them by the Superintendent for the purpose of putting on the incombustible roof, whereupon the said Superintendent will bring his workmen and materials, and forthwith do the needful to the property of the recusant proprietor, by putting on the incombustible roof, &c.

It is quit clear, therefore, that the whole expense of carrying the provisions of the Act into effect will fall upon the fund subscribed by Rustomjee Cowasjee, and the rest of the benevolent individuals who have come forward, for Government, we presume, will not contribute a pice; and supposing the fund should prove insufficient, to include all the huts and out-houses in Calcutta, and that consequently no tender should be made by the Superintendent to the proprietors of huts built previous to the 1st of November,—why then the evil remains as before. In a word, the Act appears calculated to produce a run upon the fund, and will, in all probability, produce results tending to defeat the very purpose and object which induced the charitable and the humane to come forward for the relief of the poor sufferers by fire. It (the Act) is neither more nor less than the announcement to all men having

land in Calcutta to build and improve their property with other people's money. What, for instance, is to prevent any person having land, or choosing to rent it, from building upon it any number of straw huts he may be enabled to cram together, provided he get them built before November? He then awaits the tender of the Superintendent, and puts on the incombustible roofs for nothing. He may even make a good thing of the tender money. Supposing such a proprietor to have to roof a couple of hundred of huts, he will receive so much per hut: say 10 rupees, or two thousand for the whole job, out of which he will doubtless save considerably. Then again, by the Act, each building proprietor is induced to huddle together, in the smallest possible space as many huts as the area built on will contain, in order to make the most of the ground, an inconvenience against which, while legislating on the subject, it would surely have been as well to guard. It is, moreover, certain that, with the temptation held out to wealthy proprietors of land to build, under the present enactment, they will be first in the field; their huts will be erected and themselves ready to take the roof money from the Superintendent, when the real sufferers from fire, the poor creatures who have lost their all, will be houseless. They will not be in a condition to receive the tender to enable them to put on a roof, inasmuch as they will not have been enabled to build at all, and thus the sums subscribed in the spirit of the present charity, will, through the Act of the Legislature, be diverted from their legitimate objects, and will, on the contrary, be made to flow into those channels which will be prepared by the hand of astuteness and cupidity. And much of this might have been prevented by leaving out of clause the 1st the word *built*; it then would have been incumbent upon every proprietor, to see that his hut or huts were furnished with an incombustible roof; for a neglect on his part in this particular would, after the first of November, subject him to a penalty of one hundred rupees for each hut; and it would, moreover, have left a discretionary power in the Superintendent as to the distribution of the funds in his hands. We could then have selected the poorer class of inhabitants to whom to make the tender to enable them to conform to the provisions of the Act, —a discretion which we think might be very safely left to the officer in question, (not that we are advocates for entrusting discretionary power to officials as a principle; but in the particular instance in question, we see no thing objectionable in our suggestion) and the richer proprietors of land, having the fear of the penalty before their eyes, would take care to build with the tiled roof without waiting for the tender. But as the matter now stands, the carrying into effect of this enactment, involving the safety of life and property, is made to depend upon the extent of the funds subscribed. In other words, a public Act of Government is made a mere contingency,—it is based upon individual charity; its very existence depends upon eleemosynary contribution, without which its provisions are a mere nullity.—*Bengal Hurkaru, June* 12.

The *Hurkaru* has occasionally a strange way of arriving at his conclusions, to wit, by supposing a thing to be true, and then arguing on the supposition as if it were a reality. As an instance of this failing, we may notice the following sample of reasoning as being quite peculiar to the columns of our morning contemporary,—it will be found in the *Hurkaru's* remarks of yesterday on the subject of the New Act for compelling the erection of tiled huts within the limits of Calcutta, after the 1st of November next.—

"It is quite clear, therefore, that the whole expence of carrying the provisions of the Act into effect, will fall upon the fund subscribed by Rustomjee Cowasjee and the rest of the benevolent individuals, who have come forward; for Government we presume will not contribute a pie and supposing the fund would prove insufficient to include all the huts and out houses in Calcutta, and that consequently no tender should be made by the Superintendent to the proprietors of huts built previous to the 15th of November—why then the evil remains as before."

We imagine that the subscribers to the Fund for the relief of the sufferers by the late fires are perfectly ignorant of any arrangement having been made, by which the Superintendent of Police is to have the disbursement of the monies subscribed by them for a specific purpose, and to carry which into effect, a specific committee was appointed and by this time we dare say, has proceeded with the distribution of the bounty, of which the public had constituted its members the almoners. If we mistake not, Government have either already contributed, or are about to contribute a sum of money—some twenty thousand rupees, to the same beneficient purpose—that of enabling the poor inhabitants with little assistance, to erect tiled huts in lieu of thatched ones; so our contemporary must be incorrect in stating, that the Government will not give one pice towards carrying into effect its own intentions. To us it appears, that the promulgation of the act will provide an effectual check against the erection of other than tiled buildings, for the following reasons. We consider that full three-fourths of the native population within the limits of Calcutta, are in circumstances either of themselves or with the assistance of their employers to build tiled residences; and that these, convinced of the utility of putting up their huts for five months only, will proceed at once to anticipate the wishes of legislature by constructing uninflammable buildings. Of the remainder, those who are confessedly too poor to build other than thatched huts, will either betake themselves across the boundary

or receive assistance from the Charitable Fund.

Any one who is acquainted with the character of the natives, is aware, that about the most offensive thing which can be done to them, is to interfere with their domestic arrangements; and that to make the police the agents in inducing them to conform to the wishes of authority in his respect, is a degradation to which few of them willingly expose themselves. We shall therefore be much surprised if half a dozen instances of recusancy occur during the whole course of time occupied in bringing about a complete renewal of the roofing of the native habitants within Calcutta, and in cases where a disposition is evinced to defeat the obvious intention of the act, though mere perversity, we dare say, that a remedy can easily be applied in the shape of an assessment on huts built of inflammable materials, if the Government do not find it convenient to offer the alternative mentioned in the act.

We know of no piece of legislation, which has emanated from the Council Chamber, more chary of the rights of the subject, and more consultative of the interests of the community than the one under discussion; and we may overlook the minor points for which it has not condescended to provide, for the sake of the great good which it is calculated to accomplish. If it had no other effect, it would be of value, as determining the question how far safety is to give way to private convenience in this country, on a matter, where liberty had been, for years, carried to the extremity of dangerous license. That point has been settled in a manner consistent with reason, and we entertain a hope that the principle will be gradually extended to other subjects which, though of not such pressing moment, stand also in need of its wholesome application.

To us it appears, that in leaving ascertainable facts in order to indulge in speculations having no better foundation than supposition, our contemporary travels out of the sober track which he is accustomed to claim as his own, and become lost in an atmosphere in which, though he professes all to be sufficiently clear, those who follow him can find nothing but obscurity; and when so short a period as five months only has to elapse, before the question will determine itself, it seems quite unnecessary to anticipate it by predictions, which may prove groundless, though in the interim calculated to retard the steps which are being taken by individuals and the Government for bringing about a desirable change in one branch of the public economy of this great metropolis.—*Englishman, June* 13.

THE LATE AFFAIR AT JYPORE.

The following letter on the Jypore question, written from the spot two months after the fatal 4th of June, will be read with deep interest by our constituents. Our desire to publish this letter more than a year ago, when we first chanced to see it, was overruled by the author, who in permitting us to use it now that legal judgment has been pronounced on the chief points of which it treats, wished to shorten it at the expense of some of the political opinions involved in its local discussions, but we prefer giving the letter unmutulated, sure that those who are interested in the matter will not think it too long. This summary of circumstances connected with the treason and massacre is worthy of attention, because if was drawn up by one who came unprejudiced to the scene of action, from a neighbourhood where he was able to mark both the nature and the effect of rumours which followed the atrocity, and because the views which he formed after enjoying every means of getting correct information on the subject, were written in the freedom of private correspondence to a friend who was situated so as to be able in a great measure to test their accuracy. Time has proved the general correctness of the opinions formed at comparatively early date, and has warranted his advocacy of Major Alves's political acumen and steadfastness, a fact which it would not be handsome in us to pass without comment, as we were led to think indifferently of the gallant functionary's foresight and stability, and expressed ourselves accordingly. The fact is that it has been Col. Alves's *success* not only to bear a cruel cut on the head for those whose salt he eats, but to be the organ of all the legislative and other absurdities, which have emanated from the Supreme Council Board since the procrastinated investigation into the source of his injury began, and as only odds and ends of his peculiar sayings and doings have been reported for the public, which must have *something*, he has necessarily borne the brunt of nearly all the follies and all the misrepresentations that have appeared. We took pains some time ago (see A. U. 7th November) to shew why, if we had done the Ajmere Resident injustice, we had fallen into error, and we can but repeat what we then observed, that we can only reason on matters as they are placed before us, and only correct our inadvertencies through the aid of those who have it in their power to set us right. We should very much prefer being in the first instance favoured with correct information, but shall at all times be happy to receive it, and to acknowledge our mistakes.

My Dear ——, *Jypore, 9th August*, 1836.

* * * * * * Intelligence of the tragedy reached S— on the 5th June, and with it came the following strange rumours. "That after a stormy Durbar at the palace, the sahibs insisted upon going inside to speak with the Ranee; that the Resident had been cut down in the attempt, and that Blake had afterwards been stoned in a court of the palace. That one of the Thakoors had ordered the attack; because the Resident had spoken overbearingly to him at Durbar, on his remarking that so far from having done anything for the country, we had come and made matters worse. That the Rawul had directed the act. That his son Luchman Sing had ordered it. That "the Thakoors" had done it, because they thought the English were in league with Jotharam, having caused him to put away the young Rajah, in order that they might take the whole country, as they had taken Shekhawuttee, and having let him go off with all the wealth of the state, as price of his villany." When the first ferment had subsided, it was observable that the deed was greatly condemned, as bringing reproach upon the Rajpoot name, and ruin to the Jypore Raj. "Bus! ub kya" was the frequent cry, few seeming to doubt that we should now make the country our own.

By the time I reached Jypore, the idea, first started there—that the Rawul must be concerned in both events,—had gained strong hold of the public mind in all parts of British India, and "the organs of the people" were exclaiming for vengeance on this minister, and the erasure of Jypore from the list of states. To this day their tone is hardly changed, and opinion runs high both against Government and their representative. There were circumstances stated which at first seemed to implicate the Rawul, but it was judged by the English here that all the circumstances, (supposing them to have really occurred,) could have happened without his will or knowledge, and suspicion was soon diverted from a man who had just been made minister by us (through Alves) against the Major's wish, and in despite of many desperate intrigues, and who had been assured of our esteem and support; who without our countenance could neither have easily raised nor sustained himself in ministerial power, and who in plotting against us must therefore have been endangering his own authority and existence. Those who have demanded the extinction of this state, must have been ignorant that its prince is not two years old, and that his ministry is an incomplete, provisional one, formed by ourselves out of the best materials that came to hand at a moment of great disorder. As the recognised officiating state administration, however, this body came forward (as did the majee) in a very prompt and decided manner to disown and lament the atrocious outrages which had been committed against our officers, and I need not go to Grotious or Vattel for arguments, that their having done so must disarm our vengeance, unless they should be proved

false rebels, or unless special reason can be shewn for now treating the protected crown of Amber according to a harsher rule than would be adopted towards an independent state. To enable the public to form a just idea of the position and conduct of Government and their representative, it might not be amiss to print the address of the assembled Thakoors and state mootsuddies to Major Alves, with regard to themselves and their infant Rajah.

"The treacherous attempt on your life, and the unhappy fate of Mr. Blake, who fell the victim of an infuriated mob, have plunged us into shame and grief that would be better expressed by silence, were it not that you might suspect some of us Thakoors and Mootsuddies to be mixed up in the nefarious events. Should they be brought home to any one of us, he is no true born Rajpoot! From that moment we renounce him! we will take his life with our own hands, or deliver him to you to be dealt with according to your pleasure. We have no part in him! Our Rajah is an infant!—the country acknowledges your full supremacy;—and by the long preserved friendship that has existed between the states, we pray you to act for its advantage, and to preserve its interests!—The man who assaulted you has been examined: all who are suspected of taking part in the riot are being apprehended, and after examination will be duly delivered over to you for punishment."

Among the 49 signers of this address were some whom the Resident had cause to suspect but he met their general protestation, (and the separate one from the Majee) in a manner becoming one who felt sure of his Government's greatness, and had confidence in his own judgment. He accepted their solemn asseverations of innocence, though he made it incumbent on them to produce the guilty, and calling upon all to exert themselves for the immediate restoration of order and confidence in the State, he continued a friendly, though limited, intercourse with the Queen mother and the premier. All that he said or did thus far was conditional. It rested with the "Sudder," as all were of course made to understand to decide how far subsequent evidence supported the professions made by the above dignitaries, either as a state body, or as individuals, and in the event of criminality, being brought home to any of them, they could at any time be proceeded against for that criminality, enhanced by their dishonest attempt to conceal what they had had the villainy to perpetrate. As for Alves's view of the conspiracy, time will shew its worth. Conceiving the plot to have been concocted *against*, not by, the Rawul, "I decided that it would be assisting the guilty to allow confusion to spread, and that to maintain the premier in authority, would be the best way of enabling him to gain confession and evidence against the plotters. He has set his reputation on this policy, and Government have allowed it trial: it but remains for us to watch its effect.

"To what then do you attribute the occurrence of the 4th June?"—To the desperate intrigues of the Surwages who held office under Jotharam (some of whom are now in prison) and I think it far from unlikely that the spring of their movements lay at Deosa. I should say that there was more recklessness than limited end in their undertaking: perhaps they hoped to effect a revolution which would in some way restore to them the whole, or part of their lost power, but their immediate object was to oust the Rawul, who was making enquiries into their stewardships, and who they felt assured, would put them down as he could. Even if, in the exile of their head, they projected setting up the Majee as regent, or raising to the primier-ship a man more approved of by her, or more friendly to their interests than the Rawul,(a) their knowledge of our Government's disposition must have been sufficient to restrain them from an undisguised attempt to subvert the administration formed under its auspices; therefore, I conceive, they directed the assault upon Alves, and employed agents to stir up a city riot against all the Feringees, with the view of causing their enemy's downfal by bringing him into disrepute. Perhaps they also looked to get rid of the Rawul in the tumult: in this event their plan would still have held good, for they would have diverted suspicion from their party by representing the whole attack as a general out-break against the British director, his men, and measures. It is not probable that the Majee would have countenanced an attack on the British Resident, but *perhaps* she was *partly* informed of the plot in agitation to change the ministry, and was weak enough silently to concur in it, out of jealousy towards the Rawul, who, through interested agents about her person, was represented as an usurper of the power by right belonging to her as mother of the infant heir That this young woman's vanity was artfully appealed to before the out-break is plain from the tenor of her prior correspondence with the Resident,—correspondence which was dictated by shrewder heads than her own,—and I venture a surmise as to the state of her feelings in consequence, deeming it not improbable that a similar notion may have entered the Rawul's mind. The only thing I see likely to make him tender in proving the conspiracy, is an honorable Rajpoot's fear of incurring reproach among his countrymen by exhibiting the head of the Royal family as in any way involved in proceedings so cowardly and disgraceful, and perhaps he might be given to understand that, as far as may be possible, the British Government will help to veil disclosures not positively implicating inmates of the Harem. Should the Majee be clearly convicted of having taken a part entitling her to a pension

(a) For instance, Megh Sing, Thakoor of Diggee, dismissed to his estate by Alves for his ambitious and dishonest intrigues at Jypore after the young Rajah's sudden death, and "who was offered a khullut of mooktaree by Jotharam, when he learnt his own deposition from the ministerial office."—See despatch 22d April 1835.

at Bindrabun or Benares, of course all nice scruples must be waved; even such a shameful issue might be productive of much good to the boy, by bringing him sooner under the care of men.

Let us now examine the general accusation, of having designed the whole affair, which has been so eagerly made against the Rawul. The two chief charges put forward are,—that the palace guards joined in the attack upon Blake, and that the city gates were shut by concert to prevent the Residency party's escape. The evidence taken has not borne out these accusations, and the ready way in which they were made induces a suspicion that they were prepared by the intriguing party for dispersion. It does not appear that there were on the 4th of June posted,—or that it is usual to post,—a Raj guard and where within the "*Tripolea*," except at the "*Surd Deoree*," the gate outside which the arms and equipages of visitors are left, or, that the guard at this point was,—or generally is,—composed of more than two armed sentries, the rest of the attendants being Dhallets, or Chobdars, men carrying shields and painted wands, whose office it is to see points of ceremony complied with. It is not shewn that any [illegible] of the Raj engaged in the affray until Blake was turning out of the main street, when a party of the city police ran up and cut at his elephant to stop its progress. The people who on occasions of ceremony crowd to the main street have free access to the courts within the outer palace walls, (*b*) nor is any one visiting them asked who he is, or why he carries a sword. There are shops, and temples inside them, and the citizens pass in and out at all times of the day, many who have occasion to go up or down the town making a short cut by a thoroughfare which lies between the Tripolea (southern) and the grand eastern gate. The followers of several Thakoors and state Moot suddies who had come to court by the Tripolea entrance, were in waiting, according to custom, outside the Surd Deoree, when Alves came out and was struck; the followers of the *Rawul* were in attendence at an eastern gate, by which, on account of his living in the north east quarter of the city, he almost invariably comes and goes to and from the palace. The Assassin was rescued for a moment by some persons yet undiscovered, just as he had been brought out from the Tripolea into the Chouk, or main city street, but he was immediately recovered and brought back within the Tripolea by the *Rawul's* officer "*Gunga Bishen*," who had been ordered to convey the prisoner to the Residence, according to Blake's desire. The "Meenahs" who have charge of different city chokies, and of some wards within the extensive palace walls, as well as the "nagas" (for naked) who guard the city gates, are esteemed servants of the State rather than of any minister, for the time being, and nearly all those now serving were long under Jotharam. Individuals of either tribe may have been seduced, and bribed to silence, by the intriguing party, but it is unlikely that if detachments at different chokies and gates, or even one *set* had been tutored for this treachery, not a single man should have come forward to save a life, or to gain a large reward (*c*) by convicting the authors of it. I cannot read the police Meenahs willing confession of the part they took in Blake's murder, without admitting the great appearance of them having been misled by the cry of the people, and that in the first instance they behaved such as we should expect untrained soldiers of any state, to do in parallel circumstances. In considering the conduct of all Jyporians on the eventful day of our friend's murder, we must bear in mind the state of politics and public feeling then prevailing. It would take too long a digression to trace the leading events of even the preceding four months; suffice it here to say that although after the supposed murder of the young Rajah we had come forward as the paramount authority to depose and try the suspected minister Jotharam, and to restore order to the States, we in the two months of our interference had apparently no title, either as judges or pacificators, to answer the high wrought expectations and the passionate impatience of the people, whom we prevented from taking the law into their own hands just as they were going to break out in fury, so that they remained dissatisfied and unsettled, and open to the suggestions of intrigues which continued desperately to work. All who were opposed to the Rawul, tried to make him odious by representing him to be the tool of the British Government who were supporting him for purposes of their own; this being the deceit which was best calculated to excite a people ignorant of high political motive and faith, who had lately with much shame and distrust seen two of their provinces occupied by English troops, assembled in the first instance for the subjugation of a neighbouring kindred state. Thus, whichever turn the public misunderstanding took, we suffered in general estimation, and it is not surprising

(*b*) Vide Alves's despatch 2nd April 1835.—Describing his first visit to the palace after the death of the Rajah—he says "an immense concourse filled one of the principle streets, and all the interim courts and gate of the palace up to the Dowan khaneh itself." It may not be amiss for us to observe that this important point, as well as that regards the wearing of swords, is established by the evidence of the master of Court ceremonies—Darogah Munna Lall.—See his Examination published in *Calcutta Courier* 10th November.—"There is no objecton to servants of Thakoors and State Mootsuddies, and respectably deemed men from the bazar, coming as far as the Surd-kee Degree.—There is no order forbidding the approach of men with swords, but matchlocks and spears are forbidden. No one asks questions, and almost any one may approach."—Ed. *A. U.*

(*c*) The Rawul had widely proclaimed not only that guilty confessors should be forgiven, but that persons who knew of their friends being implicated, should obtain pardon for the same if they would inform against them. The sum subscribed for rewarding discoverers of the plot was at first 15,000 and is now 22,000 rupees.

that the growing flame of ill humour against us burst out violently at the first vent it found, when there were so many intent upon fanning it. The Meenah police whose conduct is in question, were on the morning of the Durbar called upon by hundreds of frantic citizens who crowded the streets, and the roofs of houses, to avenge bloodshed in the palace; the Rawul's according to some,—the Ranee's according to others,—and whether or no they had remarked confusion in the mode of the Resident's return, or in Macnaghten's course, they could not be blind to the spectacle of an English Sahib flying like a guilty person from the palace, and before the mob who pursued him with cries of "stop the murderer:"—still it appears that some of them did not bestir themselves until abused as unfaithful servants "The Feringees have been shedding blood in the palace, and you, the servants of the Raj, look on and do nothing!" "You are a nimuk haram!" "Are you a Rajpoot or a Mongrel?"(*d*) When they had taken up the cry, and joined in the attack, it would seem that the mob gave way to them as leaders, and for their subsequent conduct little excuse can be found; they behaved like demons, but they were surrounded by a mad multitude clamorous for blood, and perhaps, poor brutes! thought they deserved from the state, and from all Jyporeans, the applause given them by the crowd when the cruel deed was done. One of the best witnesses is Pudmah Chuprassy, himself a Meenah, who, when standing unrecognized on the roof of the kottree in which Blake had just been killed, "heard the citizens cry out from their house tops that the Meenahs had done excellently for the interests of the Raj." All the men who were executed died and gave no sign; saying, and seeming to think, that it was their fate so to have acted, and to suffer.

No proof has been brought of the city gates having been shut to prevent the Feringees from escaping. McNaghten, though attacked by the mob outside the palace walls, rode unimpeded through the Chandpaule or Western gate. It would appear that this was not shut for at least several minutes after his exit, even by the evidence of Ukber Alee Suwar, who deposes that one fold of the door was swinging, and the other in the act of being closed, when he galloped up and passed out, but the whole of this man's statement, from the point at which he begins to narrate his own achievements, is plainly so full of exaggeration, that we could not upon it decide that the western gate was shut at all. Alves and Ludlow passed out of the Ajmere (South) gate, by which the whole English party had come, and by which it was next to certain that they would return, according to custom, as the direct road from the palace to the Residency lies through it. Afterwards, when Blake was attacked by a first party of Police, he sent on a Suwar to the Residency, who rode unobstructed through the same gate, although he probably had a drawn sword in his hand. (*e*) It has by no means been proved that Blake turned into the temple because he ascertained that the Ajmere gate was shut. The only witness on this head is the Mahout who was unexpectedly saved from under the murderers' swords. This man was so shocked by excess of terror, that for many days after the event, he could not bring his mind fairly to dwell on its circumstances. See his different evidences. Ten days after arriving here I sent for him, and, saying that as a great friend of the Sahib's I felt anxious to know all the facts of his death, I seated the man on the floor of my room, and let him tell the whole story from beginning to end not openly noting what he said, seldom interrupting him except by familiar repetition of his words calculated to make him enforce or vary them: he plainly said that he never drove the elephant beyond the temple, and he did not see whether the Ajmere gate was shut or open. "You did not see?" "How could I see? stones where flying from all sides, and I had enough to do trying to avoid them, and to drive the elephant, who kept turning and turning as she was struck by stones and swords." "How did the Sahib express himself?" "He once or twice spoke to Luchmun Sing (Chuprassee) coming down the street, and told Saidoo, the *Mate*, to drive off the assailants. Saidoo obeyed, and struck a man with the ladder on the breast, just before we got to the mandir. Luchmun called out, Sahib the Mate is down!" —the Sahib answered nothing, but presently he said "the gate is shut; go to the Purohit's house!" "Do you think the Sahib saw that the gate was shut?"

"I can't say; he too was quite *ghabowed* by the stones, and had a wound on his temple which he was stanching with his handkerchief, but he said it was, and I obeyed his order." Immediately after this, the elephant was driven alongside the balcony of the temple into which Blake climbed from his howdah.

I stated the distance from this temple to the Ajmere gate to be 300 yards. Boileau, of the Engineers who sketched the enclosed plan, makes it nearer 400. Doubtless a person on an elephant near the temple, well acquainted with the localities of the arched (Ajmere) gate-way, might tell whether or no the high doors under the middle of it were shut, by attentively looking down the street to see if he could discern a white court wall some 40 yards beyond (outside) them, which he would not see in the case of their being closed; but the gate-way itself is white, and all except the top of it is at this distance concealed by some huts and trees, and a man in Blake's situation might easily have been mistaken. There is no doubt that our friend was severely wounded before he reached the temple, for the frame of his howdah was broken to pieces by stones, and all parts of the interior were bespattered

(*d*) Vide Depositions of Dewa, Meena, Motee Meena, and Panna Meena, Jemadar—also of Rungeet Singh Sepahee.

(*e*) Vide deposition of "Mahout." The Suwar was in front of the elephant, clearing the way with his sword.

with blood; therefore there was sufficient reason for his seeking refuge because of his own state, as well as on account of his elephant's condition. I may further remark upon a circumstance in the evidence of the Elephant cooly, Sardoo; he states that when he fell wounded he heard people exclaim, Shut the city gates!" if this be true, Blake may have seen persons hastening on to effect this, or it may have been in his ears when he decided upon getting into the temple.

Again,— we may take an entirely different view of this question by accepting a suggestion made by Major Alves—that the Mahout mistook the meaning of Blake's speech "the gate is shut; go to the Porohit's house"—and that word "*Duwaza*" which he repeats, applied not to the city gate, but to the door of the temple, which they certainly found closed when they reached it. Ram Nath's private dwelling is situated at a little distance from his temple up a lane;—observe that though Blake ordered the driver to make for the *house* (hawelee) he took refuge in the mundir, entering the latter building by a balconied window looking into the street, into which he stepped from his howdah; when he *first* came opposite this, the mob were close upon the heel of his badly wounded elephant, so that he had neither time to deliberate long, nor to go far *any* way; perhaps it was only after he had given the said order he saw that although the temple door was barred he could get into it by the unusual mode which he adopted, and that deeming immediate refuge in a sacred edifice preferable to the chance of reaching, and gaining admission into a private dwelling, he gave the counter-order on which the Mahout acted, he hardly recollects how.

Much stress has been laid upon the assumed fact of Blake's finding the city gate shut against him, as proving preconcert, and implicating the existing Government. Now I would say that even if we could ascertain that the Ajmere gate was closed at the time of Blake's reaching the temple, we should not establish any thing consequential. Preconcert would have had the gate (or gates) shut sooner, and it would be the most reasonable course that a door-keeper could adopt on seeing a foreign party's suwarree come out in confusion, and presently afterwards a foreigner's suwar come galloping through (with a drawn sword in his hand) while there were sounds of a great tumult in the street, to shut the gate in his charge until he could be informed what had really happened, or until the receipt of orders from his superiors! If we will accept the direct evidence of durwans "Ramla and Gopal Brahmin," and of the Raj hurkarah "Nanoo," the Ajmere and other gates were shut after Blake had been killed, by order of the Rawul, who directed that none of the citizens should be allowed to quit the town, but that egress and ingress should be given to the servants of the English. This testimony is consonant with the statement drawn up by the Rawul and signed also by his two sons, which is I think a plain and credible document. Natives generally have imperfect notions of time, but we can calculate pretty nearly how much elapsed between the attack upon Alves, and the murder of Blake, from the reports of our own officers, and thus we are enabled to form an opinion of the Rawul's conduct during this critical period. We know that the assassin was instantly secured, and Alves hurried off in a palanqueen attended by Ludlow; also that McNaghten, who escorted the latter a little way towards the Tripolea, on returning to the Suid Deoree but exchanged a few words with Blake, and rode homeward again. Ludlow thinks that three minutes, at most, elapsed between the time of McNaghten's leaving, and returning to Blake, and he cannot be far wrong, for although he went as fast as the bearers could carry Alves' palkee to the Ajmere gate, and then galloped on to the Residency, McNaghten, who made a slight circuit in going by the Western gate, reached home first. McNaghten has expressed his opinion that Blake could not have been many minutes after him. There is every reason to believe that Blake's elephant, which was a particularly active one, was made to go fastest for three parts of the way to the temple, and that Blake spent very few moments in the street after he had reached this building. The temple being open on all sides, was immediately surrounded, and Blake's course along the top of its terrace, down to the very room in which he took refuge, could be observed and pointed out by the person on the roofs of near houses, who are represented as exclaiming "there goes the murderer! mar! mar!" The mob, it is said, clambered up after Blake, by aid of each other, and of some shelf built against the front temple wall, as well as of two stone figures of elephants which stand a little below the balcony by which he entered; they forced a door from a lane on one side, and easily got into a large open Court that gave admittance on the other side and on the back part. There was in truth little to keep an enraged mob of assailants long out, and I think we may decide that they did not pause in their rush, but that our friend had scarcely been shut in when his pursuers were upon him. We have no good direct evidence as to length of time that Blake made a stand in the kottree of the temple, and must chiefly form our judgment on this question from the Mahout's detail of *what happened* after he had been shut in with his master, and from a survey of the place which they vainly thought would prove a refuge. One of the Poojarrees said he thought the Sahib was two ghurrees (30 or 40 minutes) in the kottree before he was murdered, but he admits that he went apart from the scene of slaughter. Another witness says that one ghuree after he saw Mr. Blake leave the palace, he went to a house 200 yards off, and heard that the gentleman had *been* killed in the Porohit's mundir. A third says he was cooking in the house near the Porohit's, when he heard the uproar and went to the temple: the Sahib had *been dead* a ghurree before he arrived. The Mahout would probably fail in an account of time, for he was quite

confounded by fear; we might expect, however, that minutes of such dreadful suspense as this man suffered would seem, and be described as hours. His detail of what occurred in the temple is the same in both his depositions, and it tells like what one would expect to happen when there was no great obstacle to keep the mob out. In his first deposition he says, "The door was shut upon us and we kept silence. After we had been there a short time some one came to the door and said "do not be alarmed! the mob is being dispersed by the Raj"; but *immediately* afterwards stones began to fall in the court of the temple, and people burst into it, and also got upon the roof of the building, the door of the small room in which we were, was forced open, and stones were then poured in upon us. We sheltered ourselves as well as we could and defended the door-way until the wall above us was broken through, when we were attacked from above. In his second deposition, he says "one of the Porohit gave Mr. Blake water to drink, and then fastened the door of the kottree from without with the chain (a bit of about six inches length fastened to the bottom of the door and the lintel), *after a few moments* a person came and told us that the mob had been dispersed; *at that same moment* stones were showered upon the door of the kottee where we had sought refuge; the door was broken in, and we were pelted by the mob." The person who came to the door was probably one of the rioters, who wished to ascertain if the victims were within. Blake thought so, for, said the mahout to me, "the Sahib pressed his finger hard to his lips, in sign to us that we were not to answer." The front door of this room would have yielded to two or three hard kicks, and it must soon have been battered in by the paving stones *(f)* with which the mob were armed. Opposite to it, in the back wall, was an old door-way filled up with mud and stones, to displace the upper portion of which could have been no labour to those who got access to it by a rear passage. The wall above Blake's head, which was broken through close under the roof, from an outside stair-case, was exactly five inches thick and built not on regular bricks, but with unshaped stones of different sizes. This wall must shortly have yielded to the blows of heavy stones, or to the loaded end of spears; we know that as soon as an opening had been made in it, Blake had to defend two, if not three points of attack, his only chance of escaping shots being to seize with his hand, or turn aside with his sword, a musket pointed in at him, he must soon have seen that his position was untenable, and have resolved upon going out, and taking all circumstances into consideration, I should say that, at most, half an hour elapsed between the time of his quitting the palace gate, and that in which he fell. *(g)*

The Rawul fulfilled etiquette by attending the Resident to the outside of the "*Sookh huwas*, a hall on the first story, (communicating with the Queen's apartments,) in which Durbar had been held, and sent his second and third sons, Sheo Sing, and Behadoor Sing, as honourable escort to the English party, down to the ground floor and across an inner court, to a Dewan khaneh called the "*Surbutta*," where Major Alves dismissed them, and walked on across a large Court in which the latter building stands, to the "Surd Deoree" gate, outside of which he was cut down. About this time a violent quarrel arose between the Queen Mother and other Rances, in the female apartments near the "Shookh huwas" in which the Rawul remained; he went inside in his capacity of "*Huzoor Moosahib*" to suppress this, and was so employed when he learned what had befallen Alves. He hastened out, but it necessarily took an elderly man scarcely able to walk from corpulency, some time to descend 80 yards of a steep inclined plane to the ground floor, and to walk across two Courts to the Surd Deoree. He was met within a few paces of this gate by his son Sheo Sing, who hurried out before him, and who told him that both Major Alves and Blake had departed the latter having requested that the assassin might be sent to the Residency. The Rawul gave orders for effecting this, and turned into the Serbutta, where he sat down, desiring his Suwaree to be brought round, that he might follow to the Residency in person. After this he appears to have become flurried and unsettled. While he sat waiting for his equipage, and talking to Thakoors who had remained with him after the breaking up of the Durbar, word was brought that the Majee had been seriously beaten by the other Rances, who were trying to obtain possession of the infant Rajah; *(h)* on this he let himself be persuaded to stay and exert his authority in the palace, and to send his sons with other Thakoors to the Residency. "By this time (writes the Rawul in his statement) the rumour of swords having been used in the palace had spread, and several Thakoors came crowding in with their followers; there was much confusion, and little attention was paid to orders given; appearances indicated a tumult, and as it was

(f) Perhaps a third of the houses in the temple street are, more or less in a state of ruin. The many pointed stones with which their outer walls were built, lie on either side of the road, offering dreadful missiles to the hands of an angry mob.

(g) The writer of a letter signed Amicus Justitiæ, which appeared in the Hurkaru, who said that he had been at Jypore and taken much pains to ascertain the truth of circumstances regarding this unhappy affair, calculated that Mr. Blake spent five or six minutes on his way from the palace to the temple, and about a quarter of an hour in the temple before he fell.—Ed. A. U.

(h) It has not yet been clearly shewn by any one what was the object or the extent of this female fracas, or whether it was in any way got up to distract the Rawul. If the Majee sowed the storm she reaped a plentious harvest of blows from the virago opposition according to the intercepted correspondence, in which her bruises are lamented.—Ed. A. U.

impossible to tell how different people might be affected, I ordered that the palace gates should be shut, to keep out as many as had not entered." He was only made aware of the *city* riot after he had made the palace sure, by the return of his officers *Ganga Bishen*, who in consequence of the last mentioned precaution was for a considerable time prevented from communicating the second bad intelligence; this officer reported that he had with difficulty prevented the rescue of the assassin by the people, and after much knocking and calling gained admittance into the closed palace courts, by a wicket of one of the inner gates; moreover, that the mob had thrown stones at Mr. Blake, who had gone off as fast as his elephant could carry him. The Rawul then immediately sent Captain Peer Khan, and Goola Darogha, with three other Sirdars, to protect Blake, and while desiring his eldest son Luchman Sing, who had remained at home indisposed, to join our friend, and to make arrangements for quelling the disturbance. He presently afterwards learned from a Raj Harkaru "that before the above-mentioned Sirdars could join Mr. Blake, that gentleman had been murdered in a temple." Upon this he ordered his son to prevent the riots spreading beyond the city, and sent instructions to captain Kootub Khan, who was encamped with a battalion outside the city walls, to march in by the Ajmere gate, at the same time commanding the Durwans to let no one pass except these troops. The tumult was suppressed by the execution of these orders: (if its promoters intended that it should go further) all the city gates were closed to prevent the escape of persons who might be informed against as conspirators or rioters, and troops having been posted in the main street, there remained nothing for the Rawul to do but to send the killed and wounded victims to the Residency, and to take measures for excusing himself, and discovering the authors of the atrocity. The conduct of the premier and his two sons at the crisis is a separate question. Sheo Sing is a gentlemanly, quiet, well-meaning young man, possessed of but little self-confidence or vigour, and Behadoor Sing, though he promises well, is a mere youth of unformed character. The elder son, Luchman Sing, who is a man of wise and firm disposition, was unfortunately absent when sound advise was most wanted. Some have fancied the latter implicated because he staid from Court on plea of indisposition: the circumstance was made much of by the Rawul's enemies here, and naturally attracted the suspicion of persons unacquainted with Jypore parties; but unless the Rawul designed the plot, Luchman Sing had nothing to say to it, for father and son are on terms of perfect friendship and confidence, and their interests are one and the same. If Sheo Sing had acted with spirit and sense, he would either have mounted and followed the wounded Resident home, or have attended Blake when the latter refused to wait for the guard that had been ordered. The Rawul too, if unapprehensive of further outrage, should have hurried off his sons and Sirdars after the English party, prompted by a better sense of what was good for his own reputation, and due to persons in their situation, than that which let them go en route through the city, while he waited for his equipage. The mere presence of one of his sons with the English gentlemen might have undeceived the crowd, and have prevented insurrection. It is impossible to decide how much of the evil that ensued upon Alves's being cut down might have been prevented by better judgment and firmer conduct on the part of the Rawul and his younger sons; but admit that they behaved weakly;—their having done so is subject for deep regret, but not for severe visitation.

Reviewing all the circumstances of this sad affair, I should say that our extremest just act of inference would be our assuming controul over the whole country, for the boy Rajah, until the period of his attaining manhood and I confess that considering our late doings in this part of India, as well as the length of time that we must remain in charge, even supposing the boy to grow up without accident, I should be sorry to see Government reduced to the necessity of adopting this plan. It is my hope that we shall be able to trace out the causes of the late atrocities; and, after inflicting condign punishment on them, to establish, and during the minority to support, a tolerable native ministry, generally checked by an English local Agent; thus shewing to all who wait for our decision, that we in truth covet no man's land or rule, and interfere only to secure the rights of a family, and the good of people, in alliance with us: yet that while we court moderation and peace, and are slow to judge, we will never let go unpunished any person, or any power convicted of wilful offence against our laws or our supremacy.

In my last letter I described the gates of the three Courts between the Chuck and the Suid Deoree as forming the "*Tripolea*." This was a mistake: the Tripolea is a covered passage leading from the Chouk to the said courts, so named because *it* formerly contained three gates: these have been taken away, so excuse yours, and believe me.—*Agra Ukhbar, March 4*

To the Editor of the Calcutta Courier,

Sir,—When I wrote the letter, which you did me the favor to insert in your paper in November 1835, it was my intention to continue my review of the Jypore proceedings; but circumstances prevented my seeing for some time the reports of those proceedings to which I had before had access, and from communicating with those who were in any way acquainted with them. Now that I have had an opportunity of perusing the whole of the evidence so ably collected, and brought to bear upon the case by Captain Thoresby, and becoming otherwise more intimately acquainted with the state of affairs at the Jypore Court, before and after the assassination of Mr.

Blake, I feel that I owe to Colonel Alves the expression of my admiration of the consistency and firmness with which he has so steadily persevered in the line of conduct, which his judgment pointed out to him as that which justice, humanity and good policy demand from the representative of the head of the Supreme Government of India, on commencement of this trying occasion when impressed with the conviction, that the crime so far from originating with the head of the existing government of the Jypore state, as was generally supposed by those less favorably situated for learning the truth than himself, was conceived, planned and executed, with a view to subvert that very government, of which he was the head by those who hoped thereby to succeed to the administration.

Every unprejudiced man, who has taken the trouble to peruse the published proceedings in the late trials, will, I conclude, be satisfied morally, if not judicially, that the assault upon the representative of the head of the Supreme Government of India, and his suite within the precincts of the very Court to which he was accredited, was planned by the Ex-minister, Jotaram, and his adherents, and planned with a view to subvert that government and give the Ex-minister a chance of being recalled to office, but the public cannot from these proceedings learn the circumstances which created that feeling of popular resentment, that enabled an atrocious villain to convert as it were the whole population of a large city into the meek gentlemen, who, confiding in their honor and the sacred character of ambassadors, had come without any protection of their own to the Court of their Prince, had come invited to meet them assembled Chiefs in Council, and consequently guaranteed by all those ties which even the most barbarous nations hold dear; and I shall therefore venture to narrate those circumstances as they have been communicated to me by a gentleman, who had ample opportunities of becoming fully acquainted with them as they occurred, and on whose veracity I can entirely rely.

The Jypore Government had long been administered by the Minister, Jotaram, and a shrewd and impudent slave girl, Roopa Budarun, who had owed her influence to the knowledge of the amours of the late Queen mother with the said Minister, and exercised it in a manner that makes one's blood run cold to think of. The murder of a poor young woman, which the Bishop Heber describes as having taken place in the palace while he was at Jypore, was only an ordinary occurrence. These helpless inmates of the palace were put to death with the most cruel torments her ingenuity could invent whenever they had the misfortune to excite her resentment even on the most trivial occasions; and for some time before the young Rajah was declared of age, he never considered his life safe for an hour from this Demon and her paramour the Minister. He was never for a moment suffered to be in a situation where he could feel himself secure from their power, while he had been all his life a witness to the horrible manner in which that power had been exercised within the palace walls upon all who opposed it or were in any way likely to have the means of opposing it; and as it had been impossible for this amiable young man to conceal his detestation of their crimes he knew that they were always meditating some plan of removing him without suspicion.

He was at last declared of age, but almost immediately after and before he could consult the British authorities and express to them unreservedly his feelings and wishes he was on the 5th of February 1835, suddenly reported to Colonel Alves to have died of a disease for which the Minister alone had been for some days prescribing,—a disease which scarcely ever proves fatal, and never produces sudden death. The whole population of the City and Country of Jypore were impressed with the conviction that their young Prince had been murdered by Jotaram and Roopa. The motives they had to remove this obstacle to their further reign, the known suspicions of the youth of their designs upon his life, the circumstance of the Minister suffering no physician but himself to prescribe for the Prince, or to be consulted upon the nature of his illness, and the known character of the individuals all tended to produce this conviction, but when it was found that the regular Hindoo obsequies were in his case either shuffled over or not permitted, that the Brahman who was called in to perform the usual ceremonies immediately after death was not permitted to see the body uncovered, while it was rumoured from the Palace that the poor young Prince had been ineffectually poisoned—that he had refused to take the cup of medicine offered him by the Minister in presence of Roopa, declaring his suspicions that it contained poison, and had been, in consequence stabbed in the side, the indignation of the people knew no bounds. On the funeral day the Brahmins of Jypore turned out en masse, and headed the crowd, openly proclaiming treason, and demanding to see their *sovereign's corpse*; nor could they be dispersed till five or six of these Brahmins had been shot by the mercenaries of Jotaram.

The death of the young Prince was clumsily reported to Colonel Alves by the Minister, who protested that the sad event had *broken his heart*, and that he now earnestly desired to retire from office, and end his days in religious seclusion; but a fortnight after this Colonel Alves learnt that he was making every effort to keep his place, and actually received a letter from him enclosing an apocryphal note from the Queen Dowager (widow of the deceased Prince and mother of the infant heir) entreating him by all that was sacred not to abandon the reins of Government.

In reply to Colonel Alves's report to the Supreme Government of what had taken place at Jypore, he was directed to repair immediately to that city to depose Jotaram from the

office of Prime Minister, and send him beyond the frontier of that state under a guard to protect him from popular outrage, but with the distinct understanding that he must consider himself liable to trial and punishment for the murder of his Prince or the embezzlement of state property in the event of these charges being proved against him. The Colonel was, moreover, directed to put himself in immediate communication with the Queen Dowager as the acknowledged temporary head of the Government, and to proclaim that in consequence of the general belief that the late Prince had met with a violent death, the Supreme Government had, as the paramount power, deemed itself bound to assume the care of the infant son's interests.

In obedience to these instructions Colonel Alves proceeded to the Capital, where he arrived on the 21st March, and found Jotaram still issuing orders as Prime Minister, from the closed Palace, while all the discontented troops of the state were encamped in hostile array outside the City walls, waiting upon the Thakurs Rawul Byree Saul of Nathawal and Meg Sing of Deggee, rival Chiefs of great influence from their extensive territorial possessions, and from their family connections, but of opposite characters.

Thakur Byree
known from his intercourse as Prime Minister of the state of Jypore, with the several functionaries by whom our Government had been represented at that Court; and to him Colonel Alves had written to announce the intentions of the Supreme Government, and to request that he would interpose his authority to prevent a civil war. Thakur Meg Sing claimed a great deal of credit for having by his influence checked the popular outbreak; and to these two chiefs the Colonel now entrusted the charge of the City Gates and guards. To Jotaram he sent orders to desist from further interference with state affairs, and quit the Palace. Not sorry to secure immediate protection from his powerful enemies he complied forthwith and took up his abode in a temple without the city, whence he was, a few days after sent under an escort to Deosa, a small village about thirty miles distant on the road to Agra, where he was placed in confinement. His eldest brother Hookum Chund, who had for some years held important offices at the Jypore court, but did not at the time seem to have been directly implicated in the late acts, was allowed to take advantage of the opportunity of retiring from Jypore, and from Deosa he proceeded to Agra in charge of his brother's household and part of his private property.

Thus far all went well. The whole people had been in a state of alarming excitement for forty-five days, but now high and low hailed the interposition of the Supreme Government as a blessing, and seemed glad to rest all their hopes of redress for the past, and good order for the future in its power and wisdom. The British representative and his suite were welcomed into the capital by a large deputation of chiefs, who intimated from the Queen Dowager that she was glad to have the welfare of her son's kingdom in his hands; and an immense assemblage of citizens crowded round them with unfeigned demonstrations of confidence and esteem. In his long and interesting despatch to Government of the 2d of April, describing the events which had taken place at Jypore during the last ten days, Colonel Alves has ably depicted the intense state of anxiety and excitement which had prevailed among the inhabitants, and their subsequent calm reliance upon the wisdom and justice of the Supreme Government, and observes—"The people every where around "us observe a decorous and respectful deportment towards European Officers, and not unfrequently appeal to them in a firm though not clamorous manner upon past and passing events. Our presence is evidently hailed by all ranks and tribes—no one seems to doubt the Ex-Minister's guilt, both as relates to the death of the late Rajah, and to the large embezzlement of state property, and for both presumed crimes his punishment is anxiously desired."

The day after his arrival Colonel Alves was formerly visited by the chief Brahmans of the city who came to complain of their friends having been killed at the Rajah's funeral by the orders of Jotaram, whom they vehemently accused of having poisoned their Prince. On the 23rd, as the Colonel and his suite proceeded to pay a visit of condolence to the Queen Dowager, "an immense concourse of people "filled the principal streets, and all the interior courts and gates of the Palace up to the Dewan Khaneh itself. After first penetrating the crowd our attention was from time to time attracted by persons earnestly addressing us in such terms as—Do justice—less assassins of an innocent and unoffending party Escape. Do full justice. He killed the Rajah, or simply using opprobrious epithets in direct allusion to the Ex-Minister. We were similarly addressed on returning from Court; and though the crowd was so dense no tumult or clamour was displayed, and I think it will be difficult to find a parallel in Indian history to so general a demonstration of popular sentiment, or to a display so unequivocal and impressive of gratification, as that which the whole of this scene evinced with the part which the Government of India has taken on this occasion."

As a primary measure to enquiry and reform it was deemed indispensable to remove Roopa Budaiun from the Palace; and Thakur Meg Sing was one of the Chiefs who undertook this duty. His behaviour on the occasion tended to confirm a suspicion broached by the Rawul Byree Saul, that he was disposed to thwart all plans which did not square with his own ambitions and dishonest purposes, and that he intended to keep this clever and wicked woman in the Palace either to complete some of the Ex-Minister's schemes or

to gain, through her means, some influence over the Queen Dowager for himself, for not till a week of real exertions could she be ejected. The proceedings on the occasion showed clearly that her removal was resisted by other influential persons besides Meg Sing; and the intrigues of this man became so manifest, that Col. Alves was obliged to order him to retire to his own estate with his followers.

Up to the end of March the British representative continued himself to conduct affairs but seeing the great want of some acknowledged state authority, to whom all parties might look up with respect and confidence, he formed a provisional Government from the best materials that presented themselves to his choice on the emergency. This Government consisted of the Thakurs Rawul Byree Saul, Raw Hunwunt Sing, Raw Jowan Sing and Newul Sing in the order in which they are named as first, second, third and fourth members, of a Council designed to conduct the affairs of Government aided by the advice of a local British Agent, and controled by the Supreme Government of India. The first Member of this Council was constituted Hujoor Moosahib, or Major of the Palace, an office that gave him charge of the Infant Prince, and the household. Bukshee Moonalal, a connexion of the Ex-Minister, who had been lately in charge of a detachment of troops which revolted, was constituted Bukshee, or Pay Master, and appointed to officiate as Fouj Moosahib, or Minister of War. For the third chief office of state, Des Moosahib, or Chancellor of the Exchequer, the Rawul could point out no qualified person, and Col Alves nominated a foreigner, Dewan Kishun lal, who was strongly recommended for the office by Mr. Blake, who had known him as the confidential agent of the Nowab of Jujjur while he was attached to the Resident at the Court of Delhi. Colonel Alves made this nomination in the hope, that the known financial abilities of this man would enable him to disentangle the public accounts from the state of utter confusion into which they had been suffered to fall, and render them intelligible to the Council and controling authorities.

His abilities as an accountant and financier were not at all overrated by Mr. Blake; but he was a corrupt intriguer, and there is good reason to believe, that he immediately sold the influence which his new appointment gave him to the partizans of the Ex-Minister, who were thereby encouraged to fresh hopes and exertions for the recovery of their lost power. The Queen was at first strongly opposed to the appointment of a stranger who came recommended by the British authorities as a sturdy financial reformer, but he is supposed soon to have overcome her repugnance by sharing liberally with those about her the money he got from those who wished to purchase his influence in the forming of the revenues, and the restoration of the outed party to favor and power. The Supreme Government who had better means than Col. Alves of knowing the character of this man, no sooner heard of his appointment than they sent orders to have it cancelled; but nearly two months elapsed before their orders could be carried into effect; and in the interval he used his power for the worst of purposes. He is supposed to have been an accessary before the fact in the murder of Mr. Frazer at Delhi, while in the service of the Nowab of Jujjur; and his conduct while in office at Jypore was no doubt one of the causes which led to the murder of his patron, Mr. Blake, at Jypore.

The minor offices of the state were left unchanged. They were filled mostly by men of the same cast with the Ex-Minister, and almost all either related to or connected with him, by marriage, and they were suffered to retain their places because they were considered to be clever and experienced men of business, and because the Rawul considered his authority too well established to have any thing to apprehend from their intrigues.

On the 1st of June, Colonel Alves wrote to Government, that he had prevailed upon Thakur Bhopaul Sing of Jhilae to join the Council, a measure from which he derived great confidence and satisfaction, as he was the first nobleman in the Kingdom, and more over a very worthy man who had the honour and interest of his country at heart, and felt a very sincere attachment to the Rawul, whom he considered its best friend, but with whom the other members of the Council did not seem inclined to co-operate very cordially. Indeed Colonel Alves, when he intimated to Government this accession to the Council expressed his suspicion, that the second member Hunwunt Sing, had evinced a strong disposition to thwart the Premier, in the hope thereby to gain an ascendancy over the Queen Dowager, whose jealousy of his authority had already begun to manifest itself. Hunwunt Sing was a man of no capacity, and though much inclined to share in an intrigue was the last man who would have been chosen to conduct one; nor was there at the time any Chief in the state of prominent ability likely to put himself at the head of a party opposed to the Government of the Rawul and his Council. Discontent and petty oppositions were to be expected from the many who had profited by the venality and treachery of the late administration, and it was natural that a young female accidentally placed with a Sceptre within her grasp, should feel mortified to see it wielded by another, especially when it was artfully insinuated that this other intended for ever to confine her power to the domestic concerns of the Palace, and to reign himself lord paramount under guarantee of a foreign state; but that any serious attempt would be made to subvert a Government formed and supported by the Supreme Government of India for

the administration of affairs during the minority of the Rajah, and to restore a Minister so deeply and justly execrated, and still a prisoner under the charge of having murdered the father of the Prince and husband of the Queen, never seems to have occurred to any one as probable or possible.

When under the influence of one strong emotion men are most liable to be affected by those causes which are calculated to excite an emotion the most directly opposed to it, and the treasonable correspondence which has been discovered and produced on the trial of Jotaram, shows how he availed himself of this law of our nature, to convert the just indignation of a whole people against himself into hatred of those by whom his power had been crushed, and thereby to attempt their ruin and the re-establishment of his ascendancy.

When Rajpoot people welcomed so enthusiastically the British representative to Jypore on the 21st of March, they were all firmly persuaded, that Jotaram had added the murder of their Prince to the numerous crimes by which all the character of their state had been so long degraded in the estimation of surrounding states, and their treasury robbed, and, supposing that we were impressed with the same belief, they expected that we should make him instantly disgorge his plunder into the public chest, and expiate the murder of his sovereign upon the gallows. Weeks and months passed without seeing any signs of the desired restitution and punishment; and when they learned, that the British Government did not consider that there were any sufficient grounds even for publicly arraigning the great criminal whom they have supposed to have all along considered as well by us as by themselves, a convicted regicide and traitor, their indignation was turned from him and his party to us and to ours.

The national feelings with respect to our conduct towards the hated persons whom we thus in effect interposed to screen from merited vengeance, is evinced in a letter addressed to Col. Alves by the widows of the late Prince (for he had more than one wife) collectively. "You have, say they, turned Jotaram and Roopa Budarun out of the capital, but you ought to have inflicted their punishment here. If you fail to punish them as they deserve how will you answer it before Heaven? Whenever you visit retributive justice upon these murderers it will become known throughout Rajasthan that such is the penalty of murder." Even the Young Queen Dowager, who had precedence over the others merely because she had given birth to the only child of the deceased Prince in defence to public opinion regarding the fate of her deceased husband, assumed that he had been murdered by Jotaram and Roopa, and wrote in a tone of reproach to say "that the punishment of such persons ought not to have been delayed." "According to our laws and usages, said the people, the Ex Ministers guilt was sufficiently proved; and had we been left to ourselves we should not have failed to take ample vengeance. The British authorities interpose, take the law out of our hands, and charge themselves with the investigation of all the charges preferred against him; and after a long interval of delay, during which they neither take measures to try him for murder, nor to make him account for his embezzlements, they say that there is no sufficient evidence of his guilt! This is not justice." Possessing not the means of learning accurately either what the Supreme Government had done or intended to do in the matter, they came to the conclusion that we had removed and were now screening the regicide with a view to our own advantage, and thus became disposed to receive, without hesitation, any unfair insinuations regarding our motives for the sequestration of Shekawutee and Samber, and our ulterior views upon the whole state of Jypore.

The grounds of suspicion urged against Jotaram were not considered by the Supreme Government sufficient to authorise his surrender to an exasperated people; but it is much to be regretted that he was not brought to an early public trial at the scene of his supposed delinquencies. Such a proceeding would have satisfied those of the influential people of Jypore who had not been imbued with that feeling of hatred and hostility towards our persons and character which had been every where so artfully and industriously excited by the Ex-Minister during the whole period of his administration, though they were now exasperated against us by a distrust of our motives; and it would have disarmed the Ex-Minister and his confederates during the dangerous crisis of a reaction in the popular feeling. Though we had deposed him from the Government, we had only removed him thirty-five miles from the capital to a village on the high road to Agra, where his surveillance was not sufficiently strict to prevent his receiving intelligence of passing events, and instructing his friends and partizans how they should proceed in order to make the most of them. We had ejected Roopa Budaran from the Palace, but we had left her in a garden house of her own close to the City walls, where she found ample opportunities of communicating with the Ex-Minister, his brother, her friends within the Palace, and such of the Thakurs, or feudal Chiefs, as she thought likely to second her views. Of these there were many who had been content to serve a shameless Queen Regent and her infamous favorite, Jotaram, for wages proportionate to their grades in the feudal scale. Several years ago Colonel Stewart wrote to Sir David Ochterlony, who then presided over the Rajpoot states, "that "many of the vaunted Kuchwaha Barons would sell their own fathers for five rupees a head," and the class of whom this able officer then wrote has certainly not diminished since. It was only while the

Government was in the hands of those who were regardless alike of the honor and the interest of the state, that such men could hope to lord it over their betters, and to share in the general spoil of the revenues, and they were always ready clandestinely to support any plan for the elevation of such people. Some of the Chiefs were open leaders of banditti, and they sighed for the return of that state of weakness and wickedness in the Government that would enable them to take the field with their myrmidons. Such was the notorious Shekawutee Freebooter Sham Sing, who sat calmly smoking his hooka in the adjoining apartment while his friends were murdering poor Blake in the Temple.

Taking advantage of the reaction which was becoming every day more and more manifest in the popular feeling, the friends and partizans of the Ex-Minister and the strumpet Roopa began openly to boast of the spirit of hatred and hostility to the British with which they and their principals were always to be animated; and to pretend that this spirit had arisen from a knowledge of the sinister motive by which they were always actuated in their interference with the internal administration of a foreign state; and the conviction that views of self interest alone guided them in the part they had taken and were now taking in that of Jypore—that those who called in the aid of such people and not those who had endeavoured to exclude them, were proper objects for the indignation of the Jypore people.

All European gentlemen, who had occasion to pass through the Jypore Territory during the administration of Jotaram, can testify to the truth of that for which these people now claimed credit, the general feeling of hatred and hostility towards us with which this man had every where inspired the people, and the rude and insolent deportment which he had every where encouraged towards such gentlemen and their followers both public and private. It was not a mere indifference to their wants and wishes of which they had every where to complain, but a tone of menace and intolerable insolence in all public officers; and in such a state, where the lands are held in military tenure, almost every man is in some relation or other a servant of the Government. When we want to bring a nation's character into contempt among a people who have hitherto looked up to them with reverence we begin by causing the individuals of that nation to be every where treated with contumely and insult; and what Jugurtha did to the Roman citizens and Soldiers among his Numidians, Jotaram did to the English Officers and private gentlemen among his Jypoteans; and while he caused private individuals to be treated every where with contumely, his communications with public functionaries were characterized by a tone of studied insolence, and their orders were treated *whenever it was possible* with disregard or evasion. Public Officers who dared to insult or defy our authority had dresses of honor secretly sent to them; and neighbouring states were incited to adopt similar means to encourage their dependents to the same insolent conduct.

There is nothing which tends so suddenly to reconcile persons who have been at enmity with each other as the discovery of an object of common hatred in a third person. The feeling of indignation against Jotaram and his party was occasioned by a gleam of sympathy in the fate of the deceased Prince, and the dishonor of his mother among a people not much accustomed to that feeling; but the murder of the one and the dishonor of the other were nothing compared with the dreaded sequestration of the State by the Supreme Government, which would, it was said, cause in this territory what it had caused in every dominion, the loss of place and other territory that had come under our employment to all the host that now subsisted upon its net revenues. The dread of such an event came home to the business and bosom of every man, and consequently every man felt indignant at the persons who were supposed to be directly or indirectly engaged in bringing it about, that is, every person favorable to our views.

At the head of these was the Rawul Byree Saul himself, the head of the provisional Government, and Mayor of the Palace, and the indignation of the people towards Jotaram and his party was now replaced by a feeling of deep and concentrated hatred against him and us, excited by the Ex-Minister and Roopa through the medium of their numerous partisans, who were every where employed in representing, that the event was about to take place immediately, and in drawing exaggerated pictures of the consequences in the entire loss of *roozgur*, or employment, to those who had nothing but this *roozgur* to depend upon for subsistence. Such was the feeling to which these misrepresentations gave rise among the people, who filled the City and Court of Jypore, that in the meditated assault upon the British representative and suite, it was thought better not to *kill the Rawul outright* since it would save him from that agony of remorse with which they wished to see him linger through long years of bitterness.

Hunwunt Sing, the second member of the Council, was unquestionably one of the conspirators; and the conjecture hazarded in my former letter, that his followers were deeply implicated in the assault, and the murder of poor Blake, is, I believe, fully borne out by the evidence taken on the trial. He has for the present been suffered to escape with his train of infamous followers; but it is to be hoped that vengeance will sooner or later overtake him and them. There were many conspirators within the palace walls, whence came the fatal words "*Let him not escape alive,*" which sealed the fate of this promising young officer; but they also have escaped the punishment due to their crimes. As I

stated in my former letter, the whole city of Jypore was implicated by omission or commission in this act of base assassination and treason against the Supreme Government of India, and the city of Jypore contained at that time the whole or nearly the whole of those who "*wielded its power and sustained its responsibilities*" towards other states, and more especially towards the Supreme Government of India. Their responsibility for the safety of the representatives of that Government, who came invited to meet all the assembled feudal Chiefs in solemn council, upon a great public occasion, relying upon their honor, the sacred law of nations, and upon their power to sustain that responsibility, and, consequently, without any military protection of their own, was one which individually and collectively they must have all felt as religiously binding, and as involving in its violation the loss of every interest which either collectively or individually they had in the independence of the State. They must all have felt that the assault and murder of these representatives within the walls of the palace, and in presence of hundreds of military retainers, whose swords should have "leaped from their scabbards" to defend them, but remained untouched, involved a virtual declaration of war against the Government they represented, and all its consequences.

As an individual may forgive an assassin who attempts his life, so may one State forgive another for insulting its honor in the persons of its representatives; but a rigid enforcement of the penalties would in both cases generally be found more conducive to the well-being of society, as more calculated to deter others from similar attempts; and I am still disposed to think, that the rigid enforcement of the penalty in this case against the state of Jypore, would have been more advantageous to the society of India generally than the judicial proceedings instituted against the individuals. Such a measure would, no doubt, have involved the punishment of some few innocent persons in that of the many guilty; but it would have given to the mass of the people of Jypore an infinitely better government than they have ever yet had or ever can have under their present rule; and made our character and government every where more respected. The measures which nations are obliged to adopt to vindicate their insulted honor or invaded rights, must almost always involve losses of some kind or other to innocent individuals; and surely an occasion is seldom found demanding such measures more imperatively than this, or one in which all those who were to suffer from such measures were more deeply or more generally implicated in the crimes that called for them.

It is justly observed by Vattel—"embassies being of such great importance in the universal society of nations, and so necessary to their common well-being, the persons of ministers charged with those embassies are to be held sacred and inviolable among all nations. Whoever offers violence to an embassador or to any other public Minister, not only injures the Sovereign whom that Minister represents, but at the same time attacks the common safety and well-being of nations: he becomes guilty of an atrocious crime against mankind in general. This safety is particularly due to the Minister from the Sovereign to whom he is sent. To admit a Minister, to acknowledge him in such a character, is engaging to grant him the most particular protection, and that he shall enjoy all public safety." These are not maxims peculiar to the laws of civilized nations, they are recognized among all that have advanced beyond the purely savage state; they were found among the Mexicans by the Spaniards; and to their infringement, which brought down upon Central Asia the pastoral hordes of Tartary, she has owed her centuries of desolation. India could not be ignorant of them, since to their infringement she owed the invasion of Nadir Shah.

It has been said, that by enforcing the penalty against Jypore we should have excited feelings of distrust and hatred among all the other native chiefs, and alienated them from us for ever; and have saddled ourselves with the government of a country from which we could never derive any advantage. Such a measure would, I believe, have raised rather than sunk us in the esteem of all the native princes of India; and we might have derived from the government of such a country the advantage of an immense acquisition of physical and moral strength, which is surely one of the greatest advantages that we can in our present position, hope or wish to derive from any territorial acquisition. We might have rendered the mass of the people more secure in the enjoyment of the fruits of their industry, in their persons, their property, and their character; we might have enlarged the powers of that industry in the purposes to which it is already applied, and directed it into new channels; we might have rendered their roads, what they have never yet been nor ever will be under their present rule, secure to travellers; and we might have prevented the idle and ill disposed members of this state from preying upon the states around, and those of the states around from preying upon this; and we might have converted the idle and profligate militia, which are now subsisted upon the net surplus produce of the land and labour of the country without being immediately useful to the people or to the Government of the state or prospectively so to the Supreme Government, into efficient defensive establishments, useful at home in times of peace, and capable of important service in time of war.

In the government of any territorial acquisition in India we do not change the civil laws of the people, because their civil laws and

religion, as well among Mahommuduns as Hindoos, are like those of the Israelites, one and the same; and are contained in one and the same code, or in the established usages of particular clas By these codes and usages are the rights and duties of the people ascertained, we only change the machinery and process by which these rights are secured and duties enforced, and this we can always do with advantage, and without infringing any rule of these codes, or established usages of criminal laws no system was ever either regularly established or administered in any state in India by any Government to which we have succeeded; and the people always considered the existing Government free to adopt that which might seem best calculated to effect the great object which criminal law has every where in view, security of life, property and character. The acts by which these are affected and endangered, the evidence by which they require to be proved, and the penalties by which they require to be visited, in order to prevent the recurrence, are so much the same in every society, that the people never thought us bound to search for what Mahommud and his companions in the wild of Arabia thought about them, or the Sanscript Poets wrote about them in their shasters. They would be just as well pleased every where to find us searching for these things in the codes of Confucius or Zoroaster, and much more so to find us consulting, as we now are, our own common sense, and framing a penal code of our own, suitable to the wants of such a mixed community. I was once travelling with a party of gentlemen between Saugor and Bhopaul, and on reaching the town of Bhilsa, half way, we found a party of twelve travellers lying on the ground in one of the streets under some open bullock sheds Two were dead, and three so severely wounded, that, with all the care bestowed upon them by two of our party, who were Surgeons, no hopes were entertained of their lives. They had been attacked two nights before while on their way from Mirzapore to Indore with cloth for sale, close outside the town of Bilsa, by a band of robbers, who carried off their property to the value of about forty thousand rupees upon the merchants' own bullocks across an immense plain to the jungles. The men who were unhurt ran into the *amil*, who resided at Bhilsa, and begged him to send off a party of horse to intercept the robbers. He asked them whether they supposed that he was there on the part of the Maharaj (Scindea) to collect revenue, or to look after the private affairs of travellers; and told them to hire men to send if they wished to get them. The robbers passed over the plain unmolested to the jungle, and probably sent back to the amil a larger share than he could have got by recovering the property from them for its rightful owners. Yet this amil exercised all the powers of Government in their several branches, revenue, civil and judicial; and the province yielded a large surplus revenue which was spent by the Sovereign in the maintenance of licentious and disorderly soldiers, concentrated at the capital by whom she was afterwards deposed and driven barefooted from her palace to seek safety in a foreign land.

Such was a fair picture of the administration of criminal justice in almost every state in India under the Murhuttas, Pelygars, Rajpootana and Bundelcund chiefs, and it was not, I believe, much better under any of the Mahommudun Princes. The trespasses of the members of a family are adjusted by the head of the family,—those of the members of one family upon those of another of the same cast, by the heads of the families of that cast; those of the members of a village community upon each other, are adjusted by the head of the village and the elders, to whom there is every where a feeling of deference. The trespasses of one village community upon another, when redressed at all, are commonly redressed by the same class of people, since the amil seldom fails to make a reference to him for redress a fruitful source of revenue. He is considered to be placed among them for the sole purpose of collecting the net revenue, which the Prince employs in the maintenance of idle and licentious retainers, who, instead of being employed, as they ought to be, in affording protection to the lives, property and character of those from whose industry their subsistence is drawn, are the very people from whom they are every where in most danger. The trespasses of the people of such states upon travellers, instead of being prevented and repressed, are almost every where encouraged as a source of revenue. Such is a tolerable picture of the Government of native states; and bad indeed must be the system which we introduce, when we succeed to the dominion of any of them, if it is not considered by the mass of the people as better than that which has been displaced, and if the net revenues drawn from their land and their labour is not employed in the maintenance of officers and establishments more useful to them, more able and more willing to secure to them, that which they require and have a right to expect from those to whom they pay it for reigning over them.

The social and religious institutions of the people, like their civil laws, and established usages, remain unchanged under our dominion; and so, also those of a military and political character as far as may seem compatible with the new order of things. Disorderly bands of idle retainers are converted into useful police establishments, and efficient military corps; and the feudal or other Chiefs whom they followed or more often *led*, into useful public officers, or harmless and well pensioned citizens.

British Legislators for India have generally had in view, in their several schemes of Government, the preservation of the laws and institutions of the people altempered by the wilder spirit of more advanced societies; and where the administration of newly acquired

territories in India has been entrusted to men able and willing to carry these views into effect, and to give to the people of such territories a liberal share of that administration in the civil and military establishments required under the new order of things, our rule has always been hailed as a blessing; but unhappily the system of rule so suitable to their wants and wishes has never been of long duration—such territories are given or *sold back* to their old rulers, or are absorbed in that scheme of Government with which native institutions are found to be somewhat incompatible, and have been, in consequence, sadly disregarded—in which the real powers of administration are too generally delegated to native officers who have no ostensible responsibility for their proper exercise—who can either fear nor hope that the share they have in the administration will be known and appreciated by the Government or the public, and who are remunerated by scales of salary and chances of advancement so inadequate, that corruption seems to have among them the countenance of the Government, and, consequently, excites no indignation or odium among the circles in which they live. I have known among these officers some few who, from their acquirements, their feelings, and their abilities I considered to be an honor to the Government they served; and they have told me, that with such salaries and such slight chances of advancement they could never hope to be *reputed* honest by any except the people under them, and a few intimate friends, however strictly they might be so: that it was hard to forego all the advantages of roguery without the hope of ever being able to appear an honest man. There was a time, history tells us, when English Clergymen could rob on the highway without exciting the odium or indignation of the society in which they moved, because that society knew that they had no honest means of earning their bread; and history tells us, also, that there was a time when the Civil Servants of the Company could make money in all manner of ways without exciting these feelings in Indian society, because the rate of salaries by which they were remunerated gave society reason to believe that Government expected them to do so. They could not do so now because the rate of salary has been altered, and advancement rendered certain to integrity and industry.

Some well disposed Legislators for Indian affairs have proposed to engraft the spirit of our *Government* laws and *usages* upon Asiatic institutions, in order that they might unite all the vigour of the one with all the security of the other; but one might reasonably ask what of their institutions we should leave to the people when we had substituted for their *government, laws,* and *usages* those of our own nation, or what is called the *spirit* of them. Those who have travelled much in India have no doubt seen a sacred peepul tree which had engrafted itself upon an old Indian temple till it had left nothing but a few solitary bricks, or the fragment of a pillar which stood up aloft among its branches to tell the melancholy tale of grandeur past away. The peepul tree is sacred to Sewa, and they dare not remove its roots or branches from their temples and tombs: but they feel not the less sorrow to see them crumbling in its fatal grasps. A friend of mine once gave a tiger's head, which he wished to send to England, to one of his servants that he might take the flesh from the bones by t After boiling it one whole day he brought it to him in a pot with a small mouth, saying, that he was quite sure he would now find the bones perfectly clean. He asked him how he could have got the head into so small a mouth. Why said he, smiling and delighted with his sagacity, I first pounded it up with my axe. But what made you pound up the head which you knew I wanted entire to send to England? How could I otherwise have got it into the pot? said the man, staring at my friend's stupidity. It had never occurred to the simple man to search for a pot with a mouth large enough to admit the head whole; and so have we acted with the institutions of the natives—we have pounded them up to cram them into the pot of our own system, and seldom thought of suiting our pot to preserve them.

But not to digress further, I must repeat that I owe to Colonel Alves the expression of my admiration at the consistency and firmness with which he has persued to its final and successful issue the line of conduct which he marked out for himself in the commencement of this melancholy event. He has shewn by whom the crime was conceived, planned and executed; and as far as in him lay he has brought the perpetrators to punishment. Though many guilty men have escaped no innocent man has suffered; and he has left the Government of the Jypore state in the hands of the man who of all others will be found most anxious to promote its real interests; and who, at the same time, feels the most sincere attachment to the British character and Government, the Rawul Bijee Saul. His son, Luchmun Sing, inherits all his father's integrity, and has many qualities for government which the old man wants; but it is to be feared that neither the father nor the son will be long suffered to have any share in the conduct of Jypore affairs. The Queen mother will exclude them as soon as she can, and intrigue of some kind or another will soon give her the power. As both the father and son, in common with the whole Court of Jypore, must be sensible that they neglected their duty in not timely interposing to prevent the murder of poor Blake, they should have been allowed to make at least the atonement of providing for his family, a duty which would, if they have any feeling at all, be a source of consolation to them, and it could not possibly be any discredit to our Government to permit them to do so. It is not yet too late, and the sums which have been contributed for this purpose by the European and native friends of this young man,

might be refunded. There is hardly any greater source of evil in the native Governments of India than the system which Colonel Spiers has aptly enough designated the strumpetocracy of the country, a system of female government very incongenial with Asiatic institutions, but which we have some how or other managed every where to foster. A prince dies, the widow is allowed to adopt an heir, She adopts the youngest she can get that her reign may be as long as possible; and when he grows up she tries to dispose of him that she may adopt another infant. In order to get the sceptre as soon as possible they have been suspected of disposing of their lords; and in order to retain it as long as possible when they have got it, they dispose of their adopted children and even of their sons. The Rajah of Jhalone, the finest of the Bundlecund Fiefs, died in 1833, without an heir, and his fief should have escheated to the Supreme Government. His widow, a young girl whom he had married from a private and obscure family, was allowed to adopt an heir, and she adopted her own brother as the person least likely to dispute her power when he came of age, and hereby violated, I believe, a principle of Hindoo law and religion, which admits not the adoption of a brother. Other instances might be quoted, but it is unnecessary to dwell on them. A Hindoo woman is never supposed by religion, law or usage to be even her own governor, much less that of a kingdom. Before marriage she is under the government of her father or brothers: after marriage she is under that of her husband during his life, and that of his father or brothers, after his death. Secluded as all women of rank are in India, they have no opportunity of learning the character or capacity of the men they entrust with the conduct of affairs; and they are generally found to consider such points as of little importance, and to select either their own paramours, or those of some favorite female attendant; and as they know that though they should be chaste, no one will believe them to be so, they commonly make paramours of their Ministers after they are chosen, whether they were so before or not; and, as in the case at Jypore, consent to share his favours with their *budarums*. The whole state is therefore commonly supposed to be scandalized in the person of its chief; while the people, under such a system, are governed by a set of wretches whom they despise and detest; and who, knowing they are so despised and detested by the people, set no bounds to their rapacity.

[*Cal. Cour. March* 2.

MAJOR MITCHELL'S EXPEDITION.

Colonial Secretary's Office, Sydney, Nov. 5, 1836.

His Excellency the Governor has been pleased to direct that the following communication, dated the 24th ult., from Major Mitchell, Surveyor General of the colony, reporting the result of his exploring expedition into the interior of the country, be published for general information.

By His Excellency's Command.

A. M'LEAY.

Camp on the River Murrumbidgee,

in lat. 35d. 7m. 11s. *S., long.* 147d. 27m. 40s *E.—Oct.* 24, 1836.

SIR,—Having proceeded into the interior for the purpose of exploring the further course of the river Darling to its supposed junction with the river Murray, and the course of the Murray upwards, according to the instructions I received in March last; I have now the honour to report the result of the expedition for the information of His Excellency the Governor, having this day reached the river with a portion of my party after a successful and highly interesting tour.

When I arrived at Buree (the point whence the last expedition also left the settled district) the channels of streams in which we had then found water, in a season of unusual drought, were quite dry, and I was informed that below a certain point there were no ponds, even in the bed of the river Lachlan. My intended route was the same as that which I wished to have followed last year, namely—to pursue the river as far as Mount Granard, and then to travel westward, as the nature of the country permitted, towards the river Darling.

When I reached Mount Granard I found less of a mountain range extending westward than I had expected, and although we procured abundance of water on its summit (where I passed a night), and that numerous hills as promising as it was, in this respect, appeared to the westward, the season was so extremely dry, that I considered it safer, with such a party in charge, to rely on the ponds in the Lachlan, at least some way further; especially as I had observed from the hills, a branch of that river, as it seemed, leading in a very favourable direction over the lower country.

After we had descended along the bank of the Lachlan about sixty miles further, water became very scarce; the natives having a name for each hole or '*quawy*.' I was then induced to quit its banks, on the assurance of

On descending the Lachlan, we frequently travelled along its banks all day without seeing any water in its bed, passing the night without any, and near the place where Mr Oxley buried a bottle, I travelled three days, and passed two nights without finding any, during a ride of 120 miles with a party on horseback. There the Lachlan spreads into several branches, but these unite a short way below, where we found the channel as deep and well defined as it was above; and near the junction of this river with the Murrumbidgee, the ponds in its bed were deep and numerous.

Relying on Arrowsmith's map (to which I am referred by the instructions), I passed the junction of the Murrumbidgee with the Murray, without being aware of it. But a branch of the former river presented a position for a depôt camp, in which I wished to leave Mr. Stapylton with the heavy part of our equipment, that I immediately took it up, leaving there the drays, boats, and most of the cattle and provisions, in that officer's charge, with eight men, while I proceeded with a light party in order to complete the survey of the Darling.

By this arrangement, my party was in better trim to deal with the savage natives whom we were likely to meet; while the cattle left at the depot, and which we already exhausted by a long journey, were refreshed for continuing it into the southern country on my return from the Darling.

During my first day's journey from the depot, I made the banks of the Murray, below the junction of the branch of the Murrumbidgee, and we subsequently encamped where the breadth of this river was 165 yards. On the following day we were compelled to make a detour by a branch of this river, and thus came upon a fine full lake 16 miles in circumference.

I found the river Darling of considerable width, at, and for above 6 miles above its junction with the Murray, from which the back-water extended 15 miles up. But, above that point, the channel seemed scarcely so wide as it was where I had explored it above. It contained so little water, that at my last camp I stepped across its bed dry shod, a little water only dropping over the smooth bottom seemed the effect of the rain fallen just before. This river exactly resembled the Lachlan in its woods, course, and in the character of its banks—the latter being peculiar to those two rivers only. The sole difference is, that the Darling is on a rather larger scale. The country, on both banks, was of the same barren description as that I had seen above, or, if possible, worse, for the arid red sands and thick scrubs approached the banks of the river, leaving little room for grass. As soon, therefore, as I recognised the points of a range previously intersected, and thus ascertained the identity of the Upper and Lower Darling, I hastened to rejoin Mr. Stapylton at the depot. From the natives we learnt that other lakes similar to Lake Benance existed in the country northward from the Murray, especially a large one named 'Coniowra'—and that the Darling tribe came across the country from that river to the Benance lake, without passing along the bank of the Darling.

As I make the junction of the rivers Darling and Murray, in longitude 142d. 3m 26s. east, or upwards of a degree more to the eastward, than it appears to be in Arrowsmith's Map published in 1832, my movement from the depôt point will appear less of a detour on my map, than by that map might be supposed. And the longitude of the junction of the Murrumbidgee near my depot being also more to the eastward than it is in that map; (being 143d. 20m. 30s east) I had less reason to regret the season of drought, which had compelled me to pursue a route which a previous knowledge of the localities was alone wanting, to have proved the most eligible for the accomplishment of both objects of the expedition.

I found that Mr Stapylton and party had remained during the whole period of my absence unmolested. The waters of the Murrumbidgee had risen, and the branch on which I had fixed the depot was full and flowing—so that it was necessary in order to rejoin that party, to swim our horses across.

From the depot camp to the junction of the Murrumbidgee and Murray, the distance was eight miles, over firm ground, and at two miles below the junction (by the river) I moved the whole party across the Murray, with a view to proceed up that river, according to the second part of my instructions.

We had not proceeded far up this river before the country on its banks appeared much better than any we had seen lower down. Grassy plains extended some way from the river, but were limited by sand hills, covered with cypress trees and scrub. We crossed various broad lagoons, apparently, the beds of ana-branches of the river in seasons of high flood. After several days travelling (nearly southward) reeds appeared in extensive flats along the river, and in longitude 143d. 4m. E, the course of the river being from the S. E., the reeds extended eastward to the horizon. The mean distance of the bergs of sand hills covered with pine, which limited the reeds flat, was there about eight miles across.

We soon passed the region of reeds, which, gradually disappearing as we ascended, and were replaced by grassy plains.

We reached the junction of a river which I took to be that of the Twisden (or Goulburn) of Mr. Hume, in latitude 35d. 19m. 43s. south, longitude 143d. 41m. 15s. east. A clear grassy hill which I named Swan Hill, marks this junction, which takes place close under it. The banks of this river were soft and steep, and wood was so scarce there, that the cattle could not be watered without danger nor

could firewood be procured, on one frosty night in particular, when this river unexpected brought us to a stop, when we had nearly reached the larger one beyond, whose whole course was distinguished by lines of lofty trees, as on most other rivers. These, so distinctly different, flowed for many miles very near each other, each river preserving the same character throughout.

In this vicinity, we came upon a very singular formation, consisting of numerous lakes of salt or brackish water, and which were enclosed by semi-circular ridges on their eastern shores. The largest of these lakes was named "Boga," and was six miles in circumference. The river floods having reached this by a small channel the water in it was sweet, and it was peopled by a very savage tribe, who refused to give us any information, throwing their spears at Piper, who shot one of them.

Beyond "Boga" lake we crossed some very fine plains, but the main channel of the river we were endeavouring to explore, was no longer accessible nor even visible, from the numerous branches, and still reaches, which intersected the alluvial margin, which appeared to be very broad.

Following the general course of the river, we next entered on a tract remarkable for extensive forests of box, with occasional intervals of open grassy plains. It was watered by chains of ponds in deep channels, whose meandering course through a perfectly level country, seemed to pursue no particular direction. From what I afterwards observed on higher plains, I conclude that these waters are derived from the floods of the river, and that these, spreading into branches of minor depth, thus water the level country.

Turning more towards the river, we passed alternately over grassy plains, and through belts of lofty gum trees - the beds of broad lagoons. Near the river deep reaches of still water cut off all access to it, so that we could only trace its general course. The highest point at which we found it accessible before turning south, being in latitude 35d. 55m. 35s. south longitude 141d. 35m. 38s. east.

The extreme western point of a range then appearing in the southern horizon, I proceeded towards it, anxious to know more of the country back from the river. The view I obtained from that summit induced me to direct our course southward, with the intention of returning across the heads of the Murray further to the eastward, where I hoped the hills might afford means of extending the survey across the adjacent country; I perceived from the height a distant line of lofty trees, which seemed to mark the course of another river; beyond were the summits of very distant hills, verdant plains variegated with clumps, and lines of trees extending westward to the horizon; the whole seeming good pasture land.

At about thirty miles from the hill, and on the 144th degree of longitude, we reached a deep but narrow stream, flowing between high and grassy banks to the westward, at the rate of one mile and a half per hour. Its mean depth was nine feet; in one night, however, it suddenly rose fourteen feet higher, carrying away a rough bridge we have just completed. The aboriginal name of this river is the "Yarrayne," the plains beyond it were five miles in breadth, and of the best description. Forest of black butted gum, and casuarine, then extended back to the mountains and forest hills; in these forests, instead of novelty, we found the Blue Mountain Parrot, and other birds common near Sydney, many of the plants also which grow in Cumberland.

Barrabungale," a lofty mountain of granite, was the chief point of that range, but on ascending it, the weather was unfavourable for my observations; a group of open forest hills were connected with Barabungle, they enclosed valleys richly covered with grass and all well watered. We passed over many fine tracts sheltered by open forest hills, and crossed various fine streams, all flowing westward.

At length, on the 11th July, I discovered the summits of a noble mountain range of broken and picturesque outline, and by subsequent survey I found that this was the predominant feature of that vast territory lying between the river Murray and the southern coast, giving birth to numerous streams of convenient width and constant current, by which the surrounding country is watered abundantly. These Grampians of the south are situated between 36d. 32m. and 37d. 38m. of south latitude, and between 142d. 25m. and 142d. 47m. of east longitude, the latter being the longitude of Mount William, the highest and most eastern summit, and on which I passed a night, vainly hoping that the clouds would rise above it.

Situated thus centrically, this lofty mass, so essential to water the lower country, presents no impediment like the coast ranges of the settled district to the formation of roads, and the progress of colonization.

The principal river flowing under the north side of these mountains is the "Wimmera," which has no steep banks, and appears to be a very constant stream. I explored its course to the 142d. of longitude, when it turned to the north-west, leaving me in a country covered with circular lakes, in all of which the water was salt or brackish. These had semi-circular ridges on the eastern side, as in those of Boga, on the Murray, and the land about them was in general very good and grassy, its mean elevation above the sea being about 580 feet.

From the continued rainy weather the earth was in a very soft state, and this at length became a most serious impediment to the progress of the expedition, the party being unable, even with the greatest exertion, to proceed through the mud, about three miles a day.

But for this, I might have returned at least two months ago.

When we gained the head of a small ravine falling towards the principal river rising in the Grampians, we found firmer ground, and our progress was much better, although occasionally impeded by the soft and boggy state of the earth.

The river, which I named the "Glenelg," flows first westward, and then southward, entering the sea at the deepest part of the bay between Cape Northumberland and Cape Bridgewater. I explored the last fifty miles of its course in the boats, having left Mr. Stapylton with a depôt, for I had great reason to hope that it led to some important estuary, the average width was one hundred yards, the mean depth four fathoms. In this hope I was, however, disappointed, for the river terminated in a shallow basin within the sand hummocks of the coast,—the outlet being two low rocky heads, but choked up with the sands of the beach.

In the higher part of the Glenelg the rock over which it flows is granite, but after passing through a ridge of primitive sandstone covered with forest of iron bark (and which forms there a kind of Coast range) the banks consist wholly of a secondary limestone. The soft state of the earth had rendered our progress by land almost hopeless, when I launched the boats on the Glenelg, but on quitting that river with the party, I succeeded in re-crossing the Iron-bark range with the drays, by following up a tributary flowing to the Glenelg from the eastward. The difficulty of this movement was much increased, by numerous swampy creeks and swamps which we had to cross. The eastern part of that range is highest, and on the higher parts, where the basis of the soil is fragments of primitive growth and thickness of the trees presented a new impediment to the progress of our drays, the fallen timber covering so much of the surface. The trees consisting of stringy bark, and blue gum, were many of them six feet, and some as much as eight feet in diameter.

Beyond this range, which terminates in Cape Bridgewater, I expected to have found some considerable river entering the sea at Portland Bay, I found only, however, three small rivers, which I named the "Surry," the "Fitzroy," and the "Shaw," entering the bay at different points east of the anchorage.

On approaching this bay, situated on what I considered unexplored coast, the unwonted sight of houses drew my attention, and a vessel at anchor. I soon ascertained that Messrs. Henty from Swan River had formed a whaling and farming establishment there. These gentlemen accommodated me with a small supply of flour, although the supply for their own establishment was nearly exhausted.

Portland Bay appears to be a good anchorage in all winds, save those from the S. S. E. It is much better sheltered from the prevailing winds by the lofty promontory of Capes Bridgewater and Nelson, than any part of Port Phillip is, (which harbour I reconnoitered from Mount Macedon on the 1st instant,) and the position of two reefs, seem favourable for the formation of a small harbour.

I still entertained hopes of finding a good port on that coast, and should have thoroughly examined it, for an object so desirable to the valuable and extensive territory I had explored, but the almost impassable state of the ground, and our very limited stock of provisions, confined me to the direct line homewards from Portland Bay, by which I travelled completely round in Grampians, crossed all the rivers, and determined the position of the principal heights. I wished much to have examined "Caldong," which, according to the natives is a large piece of water on the coast, westward of Cape Otway. This receives as they said, several small rivers which I saw flowing southward, over the plains from their Australian Pyrenees, a group of very fine forest hills of considerable height, eastward of the Grampians. From one of these, I observed the eastern shore of a piece of water, in the direction indicated by the natives.

The country on that coast generally, is low and swampy, but the soil is rich, and the climate being sufficiently moist and water abundant, it appears better adapted for agriculture on an extensive scale than any other part of New South Wales. The soil consists chiefly of decomposed trap or limestone, these being the rocks immediately below it. The whole of the coast country eastward of Cape Nelson, is of volcanic formation, as many interesting geological phenomena attest: amongst others an extinct volcano, (which I named "Mount Napier,") is not the least remarkable, having an open crater, and being surrounded with ashes and scoriæ to the distance of two miles around its base. From the fresh appearance of the lava at the summit, I thought it might have been in activity within the memory of man, but could not find any allusion to fire in the aboriginal name (Marrowan.)

We encountered much soft ground near Mount Napier, and by the time the party attained the southern extremity of the Grampians,—most of the cattle were exhausted, and one poor animal died in the shafts. Some weeks of repose were absolutely necessary, and this our stock of provisions did not admit; on the contrary, I could only hope that they would last to the end of the journey, by allowing the men a very reduced ration.

Having some spare cattle, I decided on proceeding in advance with a light party and a month's provisions, leaving the rest to refresh for two weeks, with a party under Mr. Stapylton, whom I provided with two months provisions, that he might at the end of the 6 weeks follow my track at leisure, through Australia

Felix I hoped thus, by proceeding faster, to survey and reconnoitre the country with more freedom, and also to reach the colony in time to send back a supply of provisions to meet Mr. Stapylton on the banks of the Hume.

My route homeward from the vicinity of the Australian Pyrenees, passed through a country of the most varied and fascinating description. At intervals of fifty or sixty miles, we crossed ranges of granite, through all of which I found passes for the carts across the very lowest parts, by reconnoitering the ranges as far as possible in advance. The district between the different ranges consisted of excellent land, thickly covered with the *Danthonia* grass, and well watered.

I hoped to have met with some advanced station before we had reached the Murrumbidgee, but although we did not, we were fortunate in finding a way for carts to this point, unobstructed by mountains or swamps. It is near the station of Mr. Thomson, a gentleman who has accommodated me with a supply of provisions, to be sent back to the other party to-morrow. We reached this station on the third day after our supply had been exhausted.

I have succeeded in working a continual chain of triangles along the heights between Cape Nelson and the banks of the river, thereby connecting my work on that coast with the survey of the colony.

I trust that the result of this expedition will prove satisfactory to his Majesty's government, considering the various difficulties surmounted, and the elements with which I have had to contend. Besides establishing the fact of the identity of the Upper and Lower Darling, it has been in my power, under the protection of Providence, to explore the vast natural resources of a region more extensive than Great Britain, equally rich in point of soil, and which now lies ready for the plough in many parts, as if specially prepared by the Creator for the industrious hands of Englishmen.

I have much pleasure in stating that I have had reason to be well satisfied with the zeal and perseverance of Mr. Stapylton on all occasions. It will be seen by this report, and more fully by my journal, how well I could rely upon both.

All the men of the party have behaved well, and are returning in safety, with one exception, James Taylor, who was unfortunately drowned in endeavouring to swim a horse across a swampy river on the 13th instant.

I beg leave to bring also under his excellency the Governor's notice, "Piper," an aboriginal native of Bathurst, who has accompanied me throughout this eventful journey, and has proved a valuable auxiliary as will appear in almost every page of my journal. I have the honor to be, Sir, your most obedient servant.

T. L. MITCHELL,
Surveyor General

To the Honorable the Colonial Secretary
Hobart Town Courier, Dec 2, 1836.

THE COLLIE ACT.

No. 1.

To the Editor of the Bengal Hurkaru.

Dear Sir,—"Spare me the honey and oil for the love of heaven," says the French Cook, who was preparing a feast after the manner of the ancients. Spare us Benthamic Law, as it is understood and practised by the Legislative Council of India, for the love of all that is reasonable, or the unhappy devils who are suffering under its infliction. This Legislative Council seem absolutely beside themselves with the very mania which so grievously afflicts their brethren the ten pound Legislators in England. A mania for "summut short." Brevity is the soul of wit and may be the spirit of legislation, for any thing I know to the contrary. But if it is intended, that our laws are to be ALL soul, I should be very much inclined to say with the young gentleman who received the same account of his intended wife, "Heaven forbid!" Perspicuity, however, and exactness in law, are also good things to a plain man, and it is no consolation to find oneself in the county jail, because one could not comprehend all that was intended by a legislative enactment, as short, and, to the inventor's mind, as pithy as an epigram of Martial. If people fancy that the perfection of law is briefness, and briefness only, allow me to commend them to the Decalogue—"Do unto thy neighbour as thou wouldst he should do unto thee," under pain of being fined by the Justices of the Peace for the town of Calcutta, would be quite as good, and as clear, and as sufficient for the purpose as the bit of Legislation touching Indian labourers shipping themselves for the Mauritius, which appeared in the *Gazette* of last night, and upon which it is my intent to write these, Bonbow's commentaries.

I am a bit of a Sea Lawyer, Mr. Editor, and I care not who knows it; faith it is rather necessary to be so when one comes broad side to broad side with a Legislative Council who send the laws of England, "whistling down the wind to prey on fortune," with as much easy indifference as a Whitechapel Duffer would chuck up a pigeon

I am a Sea Lawyer then, and my reputation in the matter being somewhat bruited abroad, I was applied to, when I brought my ship here a few months ago, by the Marine Board, or Opium Monopoly, or some such people, to lend them a hand in framing a law touching Indian labourers shipping themselves off for the Mauritius, a process with which I was sufficiently familiar. I gave them my mind on the subject, but, spirit of Tom Pipes! what a mess they have made of it. If that be the result of their honors' labors, I believe, they are called their honors, which appears as the draft of an act in last night's *Gazette*. If I was Governor General, I'd Marine-Board them, for daring to lay such a crude, miserable, wishy-washy, small beer and water-production on my table. Soup magri itself is perfect alcohol to this specimen of the forcible feeble school, and as for its concoctors, a Marine Board quotha! I would hand them over to the only marine duty they are fit for, being that of Loblolly boy's mate to the after guard of H. M. ship *Calcutta*.

But to my commentaries upon the Draft of Act No —— —— of 1837, to be considered in the Legislative Council on the 25th day of April next. It had better have been considered on the 1st.—

Act No.—— —— of 1837.

I It is hereby enacted, that from the day of no Native of India, except as hereinafter excepted, who makes a Contract of service to be performed without the said territories, shall embark in pursuance of such Contract on board of any ship at any place within the Territories subject to the Presidency of Fort William in Bengal, without an order from the Governor of the said Presidency, or a Permit from an Officer, authorized by the Governor of the said Presidency to act in that behalf.

"Praye oords, Praye oords," Gentleman of the Marine Board, learned framers of the labourer-exportation law, and no doubt like mine ancient Pistol they will do "good service, look you, at the pridge;" but as for them being calculated to do much good in the way they are intended, I must be permitted to have my doubts. No native of India except, &c. "shall embark." And why shall he not embark? what penalty is he liable to if he does embark? You may as well say no man shall steal the Tagore Cup, leaving said man, after this declaration, to steal or not as suits his fancy. I again ask, what is to prevent the native of India from embarking? what penalty attaches to the breach of the law? There are two rumors about town; one is that the offender, *if caught*, will be reprimanded by the Legislative Council; the other, that he will be exhorted by the Bishop to reverence the Civil authorities, particularly if they happen to be high in station. I do not believe either of these reports, and therefore pause for a reply.

"Why, Benbow, you great sea jackass," says a Legislative Councillor to me, "don't you see the tenth Section of the Act which imposes a penalty upon maritime animals like yourself, who shall knowingly suffer 'such native as aforesaid' to embark on board of any ship in pursuance of such contract 'as aforesaid' without an order or permit."

Thank your honor for the information, only in that case I would be glad to know, since you are legislating "short," what is the use of Section I. at all? Or if you *must* have a declaration, why not prohibit that Act too which is distinctly made penal, as thus—"No native of India shall be *received on board* of any vessel at any place, &c. Prohibit the receipt on board, to which act if done in defiance of certain prescribed rules you attach penalties in the tenth section, and I depend upon one thing, which I think it necessary to mention, because heaven-born legislators overlook such trifles. If the native of India is not received on board of a ship, he will scarcely attempt to swim to the Isle of France, so *that* need not be provided against.

There are two other trifles in this section, *expede Herculem*, to which I would solicit attention. In the first place, my dear Legislators in declaring that no *native of India* shall do this, that, and the other, you have been so good as to legislate for the subjects of His Majesty, the King of Oude. For the dweller in the Rivery Punjab, for the man of many wooded Travancore, and for him who with thick calf and a grinning countenance traverses the peaky dominions of His Highness the Rajah of Nepaul. As we have not exactly placed our posterity, like Charles the Second at Talleyrand, on the musnuds of those potentates, I fancy we have no right to prescribe rules for their subjects, who take a fancy to "go down to the sea in ships." If we have not that right, it would be but modest in us to declare, that no native of British India, or, if you like it better, of the Presidencies of Bengal, Agra, Madras or Bombay, or their immediate dependencies, should embark, &c. &c.

The other trifle is the use of the word SHIP: really my dear Marine Board, you ought to know what a ship is. Perhaps, however, you will be surprised to learn that a ship is not a brig—still less is she a sloop, and I'll be hanged if she's a bum-boat. I would gently suggest, that the word VESSEL should be substituted in the Act. You then catch them all from a wherry to a liner. I will continue my strictures after I have looked to the setting up of this mizen rigging; in the mean time I remain, Yours obediently,

STRIVROGEN BENBOW.

Off Town, March 16, 1837.

No 2

To the Editor of the Bengal Hurkaru.

Dear Sir,—Having set up in the mizen rigging, I will, if you please, resume my strictures on the Labourer exportation act, you may ask me what business it is of mine. Do so, and I will tell you that in the first place I was desired when I came to this port, to lend a hand in lifting out the law in question; and in the next, that as soon as the S— is ready for sea, I shall take a cargo of rotions in the Colley line, to the Isle of France myself.

It is a favourite saying of Jack's, that he "likes a man as *is* a man." I confess to a weakness of the same kind. I "likes a law as is a law," not a thing that is just sufficient to bother and embarrass a good-natured, plain-sailing fellow like myself, but through which a keen whip will gallop a coach and six without even shaking the ribbons. It is a pleasant law that which gives trouble to the honest man, but exactly misses the object with which it was devised by giving no trouble at all to the rogue.

As for the act now under gracious consideration, I would not only be bound to find fellows who will drive a coach and six through it, but which is more germane to the matter, will sail a six hundred ton Free Trader through it as full of Coles as the *Sir John Rae Reid.*

If Acts *are* to be made at all, what in the name of Nox and Erebus is the use of making them in this fashion? An honest fellow, a Benbow for instance, would obey a simple request of the Governor addressed to the charitable and humane who export Coles. A dishonest fellow will find Act — of 1837, not a whit stronger for his coercion than the resolution which prologues it.

Sec. 2. And it is hereby enacted, that before any such permit shall be granted by any such officer, such native, and also the person with whom such native has contracted, or an authorised agent of that person, shall personally appear before that officer, and shall exhibit a memorandum of the contract written both in English and in the mother tongue of such a native, which memorandum shall specify the nature, the term, and the wages of the service as settled by the contract.

There is not much to require remark in this, only I should like to know, (I really ask from curiosity and from no desire to cavil,) what *is* the written language of the people who are most likely to be carried to Mauritius. I mean the Coles. Have they *any* written language? I am a stranger in the land with no further knowledge of the tongues than "*jow suer*," and "*hitherow toom.*" I therefore "pause for a reply."

Sec. 3. And it is hereby enacted, that no such permit shall be granted unless the contract of service shall be made determinable on the expiration of one term of not more than five years, to be reckoned from the date of the contract or of successive terms none of which shall exceed five years, and unless such contract shall contain a stipulation that such native shall be conveyed back to the port at which he is embarked free of charge to himself at the expiration of his service.

This is pleasant! A stipulation! and if the stipulator does not fulfil his stipulation, what do you do then? Is the labourer to bring an action for damages at the Isle of France, or is he to do that which the stipulator ought to have done; viz, convey himself back to the port at which he was embarked, being precisely the operation which the law assumes he may be unable to accomplish, and therefore provides that another shall stipulate to look after "his whereabouts," in the matter.

"But oh! my dear Benbow," says the Marine Board, in its legislative capacity, "you don't perceive the thing correctly, you are all of apprehension. We have to deal only with gentlemen and substantial merchants, and men of honesty and honour, who are your only exporters of Coles from these ports." Poor, good, simple souls, I reverence you, because you are so like Parson Adams! But, indeed, indeed, you may believe me when I assure you, that laws are not made to bind men of honesty and honour, but to bind a sort of gentry who sail altogether on the other tack. As I have said before, if you are sure you shall only have men of honesty and honour to deal with, a simple request of the Governor, or no request at all, would be quite sufficient to ensure the exported labourers good treatment and fair play. But if you *must* encumber the statute book with new laws, let them, as I have said before, be "laws as is laws."

However, assuming for the nonce, that the men of honesty and honor are the only exporters of labourers. Alas! my dear friends, men of honesty and honour die as well as others! In fact I knew one who was absolutely unable to live beyond eighty-three to oblige any body. Well, when your men of honesty and honor who stipulate that "such native shall be conveyed back to the port at which he is embarked, free of charge to himself, at the expiration of his service," happen to shuffle off this mortal coil, who will *then* bring such native back free of expense to himself? Benbow perhaps might, but do you imagine, that all the craft which run between Calcutta and Mauritius, are navigated by Benbows?

Now the thing was very simple—Either the stipulator should have been obliged to deposit in the General Treasury in Company's Paper, for every labourer exported, as much as would suffice to pay for his passage back again, such amount to be refunded in the event of the labourer's death or certified

refusal to return at the expiration of his contract period, or the stipulator shall be obliged to give a bond with sufficient securities to pay the said labourer's passage back, if such passage was found for him by the authorities at the Isle of France (or elsewhere) when his contract period expired.

I do the more wonder that the device was not wrought into the loose fabric of the labourer-exportation-act, seeing that a similar precaution with respect to menial servants proceeding to any part of the United Kingdom stares one in the face as another draft act in the very same *Gazette*.

Yes, replies the Marine Board, but they will take care at the Isle of France to send the labourer back at the expiration of the contract, and all we shall have to do is to call upon the exporter to pay the passage money. But then comes the old question. Suppose the exporter *wont* pay, by what process of law will you make him? Is the Cole labourer to bring his action'—and upon what, the contract? who is to hold the contract? the labourer is only to have a written memorandum, which (and *not* the contract) is to be exhibited to some officer whom the Governor shall appoint. Is the exporter to keep possession of the contract and will he bring it into Court against himself?

Sec IV All well and good.—I have no objection to the laws I have no objection to the poor savages, who go to make sugar being amply protected; all I desire is to see, a law such as a rogue may not be able to drive a brigade of horse artillery, guns abreast through its provisions, while, as I said before, it is just sufficient to give bother and trouble to an honest man.

Sec. V —And it is hereby enacted, that if the said Officer shall be satisfied that the said Native fully understands the terms of the Contract, and is desirous to fulfil the same, the said Officer shall make and sign on the back of the written memorandum afore said, a note to the effect, that the said written memorandum has been inspected by him the said Officer—and such Note shall be a permit, authorizing the said Native to embark, and the memorandum of contract with the permit so written thereupon, shall be delivered to the Native to be kept by him during his Service—

In his breeches pocket, and a sweet document it will be by the time the holder has labored amongst sagur-canes for five years. If these people *are* to be protected, as their savage and brutish state seems to require, then the memorandums should be forwarded by the inspector here to the public authorities at the Isle of France (or to the place where the people are being carried.) The labourer should have a duplicate, (It is only the expence of printing) to exhibit on His reaching the place. The original would then be kept for him until his term of service had expired and the laborer desired to return. As it is, I think it may be assumed that seven out of ten of the worthy Coles will be minus their memorandum long before they are prepared to quit the Isle of France?

Section VI. And it is hereby enacted, that if application is made for Permits authorizing more than twenty Natives to embark on board of any one ship, it shall be lawful for the Officer aforesaid to summons the person in charge of that ship, and to examine that person as to the accommodations, food, and medical attendance provided for such natives on board of that ship, and to inspect that ship, or by any order under his hand, to depute any other person to inspect the same.

But suppose I will not let the Inspector come on board, but on the contrary flourish a handspike, in intimidation wise. Then occurs the following dialogue.

I must see the ship or I will grant no permit

I don't want a permit. A hundred and fifty coolies may perhaps be coming on board or may, for any thing you know to the contrary, be on board already, without any such nonsense.

You will be fined 200 rupees for each.

Exactly so, when you prove that I have the natives aforesaid on board, but there is a fine northerly breeze and the *Sealahoond* is ready to take me in tow.

I insist , n board to see whether you have unpermitted labourers or not.

Take care of the handskipe.

The ship sha'nt go down.

How will you stop her? I have paid my port dues and all charges and have got my Pilot.

The Pilot sha'nt tak her down.

Let him refuse at his peril and I throw the vessel on his hands, there is no law to warrant his refusing to take her down.

But they won't let you land your labourers, my boy, at the Isle of France, unless you shew permits.

I am not to the Isle of France, I guess I am going to ORLINES where Niggers are getting scarce.

Now Mr. Editor, all this "Imaginary conversation" might be cut very short if the law, like a sensible law, would attach that penalty to the prevention of an Inspector in the execution of his duty, which this Government has it so peculiarly in its power to enforce. The law should provide that no Pilot shall take a vessel, carrying Cole labourers, to sea until the Inspector had mustered them, examined them with their memorandums, and seen, at the period best calculated for a de-

termination of the point, that the law was fulfilled. If the labourers be not mustered on board by the party before whom they are carried under section 2, and who grants the permit for their reception of the vessel, there will be a hodge-podge roya; for it is perfectly well known that the people who appear at the Police and pretend they are engaged to go to Mauritius, and who exhibit their contracts accordingly, are in very many instances not the parties who actually embark.

But the first Mate has just come to tell me that Jones the Butcher has got into trouble about those shoes, as I thought he would; I must therefore conclude for to-day and I remain,

Your obedient,
STRYBOGUS BENBOW.

Off Town, 17th March, 1837.

Although to censure the measures of Government be doubtless the easiest part of an Editor's duty, we unaffectedly declare it is by no means the most agreeable, and we believe nothing less stringent than the virulence of party-feeling, can from day to day screw the courage we will not call it, but the bile," to an indiscriminate abuse of all and every thing, merely because they proceed from men of opposite principles, in the fashion, for instance, of the "*Times*,"—"whose unceasing outpourings of the most gross and unmeasured slanders on the acts of Lord Melburne's Government, have the additional merit of being in direct contradiction to their avowed opinions on the same acts when contemplated by Lord Grey. Another example of this "turning one's back upon one's-self," occurs to us in our friend over the way," who when in the management of a Bombay news-paper, argued loudly against the Bengal Army for their conduct *quoad* the half-batta question, which he has since converted into a grievance of the first magnitude, and "has lived upon it," as Puff would say, for many a month; the good people beyond the ditch, being caught by the clap-trap of the "*Military Chronicle*," and either not knowing or forgetting his former backslidings on a subject of such real importance to their interest. With these prefatory remarks we return with pleasure to notice three proposed regulations of the Government, which appeared in our columns on Thursday, although we shall have to encounter the witty vengeance of our formidable correspondent, "BENBOW," and which we shall endeavour patiently to endure.

The first refers to a more equitable rule of assessment for municipal purposes—viz. police, cleansing, repairing and lighting, in the large towns under the presidency of Fort William. Hitherto the maximum rate leviable upon any habitation being fixed at one rupee, the effect was, to throw upon those least able to bear it, a disproportionate share of the aggregate amount assessed by the "Punchaite" of the district. The maximum is to be extended to two rupees: and will consequently reach those of greater means and better habitations, leaving a smaller sum to be raised from their poorer neighbours.

The second Regulation is to prevent the embarkation of natives, as servants, for Europe, unless under permit from an authorized officer of Government, whose duty it will be to require from the party hiring such servant, and from two householders of Calcutta jointly, a bond for Co.' Rs. 1,000, or, in case of the sureties tendered not being considered satisfactory, a deposite of Company's paper to that amount, as security to the East India Company, in the event of such servant being thrown upon their hands in London, and thereby occasioning them any expense. Formerly no native servant could be received on board ship without an order of Government, to obtain which order, a deposit of Company's Paper for 1,000 Rs. was necessary; but this practice has been discontinued for some time, we understand; and some instances of servants having been left in a state of destitution in the streets of London and Liverpool, having occurred, the subject has very properly attracted the notice of the Supreme authority. It strikes us, it may be necessary to connect the officer whose duty it will be to grant the permits with the "Port Clearance" department, in order to make the Regulation effective.

The third relates to the embarkation, treatment, and contracts with coolies, proceeding to the Mauritius as labourers, and we believe on no subject was one more required, with reference to the ignorance of the one party, and the strong temptation to abuse it in the other.

We cordially approve of the principle which runs through all these enactments—the principle of protecting the poor against the rich—the weak against the powerful, and the ignorant against the artful; and so long as our legislative authorities pursue this "*Benthamite*" path, so long will our humble praise attend them.—*Hurk. March* 18.

N. 3.

To the Editor of the Bengal Hurkaru.

DEAR SIR,—You will be happy to hear that there was nothing after all in the business of Jones and the shoes. Mr. Robison told Flannagan that he ought to be ashamed of himself for getting a messmate into trouble about such a trifle; and so he ought, if all that boy Jem says on the subject is true. I can't however entirely rely upon boy Jem, since the extraordinary story he told about the coffee pot and Capt. McGarth's cat.

Talking of McGarths, that was a curious anecdote respecting him and his cousin Andrew McGarth, of the Royals, who married old Tellitor's niece at Guernsey, but I have not

time to tell it to you now as I must proceed to section VII. of the native labourer exportation law.

Now I think it as clear as the beautiful daylight, which shines unobstructed through many clauses of the Draft Act, that any man who wished not to be bound to pay the expenses of his Coles back to the port from whence they were shipped, might carry off a couple of hundreds to Jamaica, or Algoa Bay, or Java, or Swan River, without in any way being bound either to that unpleasant ceremony, (the paying of their return passage) or to the expensive one of laying in comfortable stock for his industrious passengers. If the Inspector be not armed with full powers to inspect at the proper time, that is to say, just before the vessel leaves town, and after all the labourers are reported on board; if he has not the power to stop the vessel (a thing very easily done while Government has he pilotage of the river in its own hands) should he be dissatisfied with the result of such inspection; if he has not, moreover, the power when he is satisfied to hand her over to the pilot and tide-water on board, they being duly authorized and held responsible for the prevention of any subsequent shipment of labourers, if these things be not enacted, then when a rogue is concerned, "all the rest is leather and prunella," which, considering that laws are made to control rogues, I hold to be rather a defect in Act - - of 1837.

But next observe, I pray you, that if the act is as a cobweb to the wasps and preying mantis of society, a cobweb which they will burst through and shiver with a loud laugh, like Job's horse, it is no less a cobweb to poor little, industrious, innocent, busy, buzzing flies, such as me, Benbow; likely to entangle our unhappy limbs and bring our little, gentle lives into trouble.

For what says section VII of the Draft Act:—

VII And it is hereby enacted, that the Officer aforesaid shall not grant permits authorizing a greater number of natives than twenty to embark on board of any one ship, unless he is satisfied that the accommodations, food, and medical attendance provided for such natives on board of that ship, will be sufficient for their health.

Now this is excessively agreeable! Here am, I Benbow, with my good bark, the S——, intending in all honesty to embrk cooley labourers for Mauritius, left by law at the mercy of the whim, or the enmity or bad judgment of the "officer aforesaid." He may be whimsical and fancy that what is accommodation enough for a sepoy, is not accommodation enough for a Cole; and there is no impossibility involved in this supposition, for I have heard it contended by parties just as likely as not to become the "officer aforesaid."

He may be my enemy, because I cried "hear him" ironically when he was making his last speech at the Town Hall, or because I stuffed a lighted cigar up his nostril, or for any other sufficient reason; and then he first casts his eyes over the poor unfortunate S—— and says in his cool, absurd, conceited kind of way, "This here ship will never do for them there Coles—manjee dufnao."

Or, he may be an epicure, a man of oyster patties, soup a la Reine, and Morinot's ice: and in that case will declare that the stores I have laid in for my poor Coles, people whom I have always considered rather in the light of brothers than passengers, are neither good enough, or sufficient.

Or, he may have no precise idea of the difference between hole ammoniac and supertartarate of potass; and thence declare, that my medical matters provided for such natives, to wit Mr. Surgeon McGudenough and his big chest, are a brace of humbugs.

Or, he may be an ass, "dressed in a little brief authority," "playing fantastic tricks before" the mainmast and objecting merely to shew his consequence.

Now, under any of these circumstances, where am I to appeal for redress? I don't suppose that the Governor-General and Council would much fancy being bothered on every occasion with a list of physic and my surgeon's diploma from Aberdeen, or the bazar bills for rice, dhall, chillies, oil, ghee, garlick, brown blankets and red caps, supplied for my Coles. Perhaps the elders of the Scotch Kirk would allow themselves to be constituted a court of appeal in such matters. I don't *know* that they would, I merely throw out the suggestion.

In the mean time, however, gentlemen legislators of the Marine Board, whom *am* I to appeal against the stupidity or caprice or enmity of the "officer aforesaid," which is likely to deprive me of a capital freight to the Isle of France. To yourselves perhaps! and to receive for answer that there is nothing in the act to warrant your setting aside, or interfering with, the decision of the "officer aforesaid," he, and he only being the person to be satisfied that meat, drink, washing and lodging, are provided "*quantum suff.*" for the exported labourer.

Now would not all this have been easily disposed of if the act had prescribed the number of square feet of accommodation, the quantity and description of provisions, and the quantity of water to be provided per head for the laborers embarked? With respect to the medical stores, again, a short list might have been made out shewing what each vessel was to carry per 100 men, and as regards midical attendance, whatever it satisfied the master and crew to entrust their own proper bodies to might satisfy the Coles, provided always that there was a man on board who could set a bone or let blood which might be certified unto by the marine surgeon or other medical officer of Government.

It may be said, that the quantity of provisions, water, accommodation, &c., will be fixed by Government for the guidance of the "officer aforesaid." But surely if any matters connected with the exportation of labourers require to be defined by law, it is those upon

which their health and comfort during the voyage so entirely depend,—and in the event of the inspector, on his *final* inspection, (without which all the rest of the machinery is a useless jumble,) finding that attempts had been made to evade the law, a penalty (without which all law is a fiddle-stick's end,) should attach.' The British Passenger act provides for these things, and so did the Lascar regulation. Both offered good models for the present purpose, but of course it would be beneath this dignity of Anglo-Indian legislation to refer to them. Originality is every thing; and I have no doubt that when the British Indian code makes its appearance, it will be so exceedingly original as to challenge for its motto, the proud line,

"None but itself can be its parallell."

But again it may be said, that it is the known interest of shippers to land their Coles at Mauritius in the best possible condition. If this be the case, why legislate here at all beyond one section which should secure that no Cole embarked from this port without being fully aware of the nature of the contract he had entered into, or without a deposit being made which should pay for his return at the expiration of his service?

Double! cry the people of the Isle of France. Thank you, for nothing, Mr. Benbow; you are a friend in need with a vengeance! Why your deposit scheme would throw awful difficulties in the way of our covering the remainder of the island with canes. Now really, Mr. Editor, I don't exactly see why the people or the Government of Bengal should go much out of their way to assist those of the Isle of France in accomplishing that interesting experiment?

Section IX. And it is hereby enacted, that for every such permit, it shall be lawful for the officer aforesaid, to require that a fee not exceeding one rupee, shall be paid by the person with whom the native to whom the permit relates has contracted, or by the authorized agent of that person.

This section requires no particularly remark, except as affording another instance of loose, I believe you call it here *kutcha*, legislation—what is the meaning of a fee "*not exceeding* one rupee?" Why couldn't the act have spoken out like a man, and said a fee of twelve annas? Nay, if the act was in drink and extravagant at the time it promulgated itself, why should it not at once have declared that "a fee of one rupee shall be paid by the person *with whom* the native *to whom*, &c." It is all very well, gentlemen legislators, when you are enacting a fine to declare that it shall not exceed a certain amount because of the shades of fineable offences; but when you enact a fee, let me entreat you to fix it if you have any bowels, or you will give rise to infinite misconstruction and great heart burnings on the part of Snivel, who has paid fifteen annas, when he hears that the "officer aforesaid" has let off Dribble for fourteen.

X. And it is hereby enacted, that whoever being in charge of any ship at any place within the territories subject to the presidency of Fort William in Bengal, shall knowingly suffer any such native as is aforesaid, to embark on board of that ship in pursuance of any such contract as is aforesaid, without either an order from the Governor of the said presidency, or such a permit as is aforesaid, being produced to him by the native so embarking, shall, on conviction thereof before a magistrate, be punished with a fine not exceeding two hundred rupees for every native so suffered to embark, and in default of payment of such fine, with imprisonment for a term not exceeding thirty days for every native so suffered to embark.

Section X. Provides penalties, but again I ask, how are they to be levied if a gentleman of that class to restrict whose little eccentricities laws alone are required, sets his wits to work to evade them. That fellow Guffins, for instance, who commanded the Tartar. You know Guffins with his one eye as bright as a red-hot diamond, the other gone with halt his cheek by persuasion of gunpowder. His abominable flaxen wig and interminable story about the chase of the "Prince de Neufchatel." Well, Guffins was acquainted with all the crimps, duffers, kidnappers and silver coopers in town. He was not the fellow to let his ship be stopped in the river without law for it. But if she *was* stopped, and he *was* hauled up to a magistrate to be imprisoned twelve thousand one hundred and twenty days, because he had four hundred and three "native persons aforesaid" on board of the Tartar without licences or permits, what would Guffins do? Why, he would say, "Please your worship, a werry respectable house in the Bow Bazar, one of the respectablest of the new houses as is, Messrs. Snatchem and Catchem, who acts as my Agents some times, send me off a good many boat loads of gentlemen with black faces, and no pantaloons whatsummever. So, says I, Gemmen, as *is* Gemmen, is always heartily welcome on board of the Tartar, what d'ye want my Tulips? Then up gets a young feller in the starn sheets of the second dingy, and says he, these Gemmen are passengers as wants to go to Jamaky and see the world, and Snatchem and Catchem has taken fifty rupees a piece from them for passage money, and that same is came to your credit in account current. So, says I, your worship, you're sure young feller that these is gentlemen passenger, not gentlemen Coles as has made a contract for to go and work for their bread. No, Mr. Guffins, says the young feller, by no manner of means. So you see your worship I has not violated the hact in the least by taking those gentlemen, setting down on their heels yonder in the brickdust, on board of the Tartar.

Now, how easily would Guffins's jaw in the above supposed case have been stoppered, if the act instead of declaring that no native person (exceeding twenty) *who had made a contract of service to be performed beyond sea*,

should be received on board of a vessel without permit, &c., had declared, that no native persons *whatever*, (being subjects of the British Crown and Company) exceeding twenty in number, (except lascars) should be received on board of any vessel without a permit, &c.

But neither this alteration in the law or any other can be efficient for the purposes contemplated by the enactment, unless the Inspector has the legal right given him to visit the ship, muster the passengers, and examine into all things at all times, without dread of handspike; but more particularly just as the vessel is about to quit the Cooley Bazar, from which place the pilot and tidewaiter on board should be held responsible for no native passengers joining the ship without permit.

I observe from the remarks in your paper of this morning, that you consider me inimical to the act under discussion; *de tout mon ame*, not a whit I assure you: for although legislating on such points is contrary to all sound principle, yet where "salvages and men of Ind" are concerned, we must sometimes put sound principle in our pockets. All I wish is, that if an act be made at all for the protection of these "bare armed Fenians," it may be efficient for the purpose, and not so loosely drawn that any kidnapping Dirk Flatteraich who feels it convenient to set the law at defiance, may do so with impunity.

When certain wealthy British Beefingtons and Puddingfields were interested about something concerning a Black Act, which for the life of men I could never distinctly comprehend; every syllable of the law was weighed, every sentence measured, every word criticised. However, that was a case of rich white men—this is a case of poor black ones—Ah, *mon dieu!* what an enormous difference.

Yours obediently,
SIRIVROGLN BENBOW

Off Town, 18*th March* 1837.

[*Hurkaru.*

THE COUNTRY OF THE KHUNDS.

DESCRIPTION OF THE KHUNDS OR KUNDHAS, BY MR. BROWN, OF THE GENERAL BAPTIST MISSION, ORISSA.

[The accompanying paper has been forwarded to us by an enterprising correspondent, who has been induced, for religious and educational purposes, to visit the late scene of distressing war—the country of the Khunds. The people, habits, and customs which he describes are such as to awaken feelings of sorrowful interest in every generous mind. We hope that a feeling deep and abiding will be excited in the breasts of Christians, not only for this but for the whole of the hill tribes of India, forming, as they do, (though scattered far and wide,) a distinct and far less superstitious race than they of the lowlands;—possessed as they are both of superior mental and physical energy. If brought under the civilizing influence of education, and the softening and elevating influence of Christianity, they would make the best subjects and the most manly and devoted Christians in India. In our estimation there is a mournful interest attached to the whole of these tribes, in the supposition that they are the aborigines of the soil, driven by the founders of the Hindu dynasty into the wilds and fastnesses of their native land, where for ages, in the rudest and most degraded state, they have contended with poverty, disease, and oppression. This, coupled with the recollection, that the truth of the Gospel found protectors and an asylum in the hills of Switzerland, Scotland, and Wales, when the lowlands were inundated with errors,—should stimulate us to an effort to give to these wandering tribes the blessings of life; for here, too, the Gospel may find a refuge in the day of trial. The Government would act both wisely and humanely in at once attempting to introduce the blessings of civilized life amongst these deluded people. It would be far more *economical* than providing the news of war—far more *human* than allowing the elements of strife to exist, always ready to burst forth, spreading on every hand desolation and death. We are confident the friends of Missions will do their part, and, as in every other instance, will lead the way and smooth the path for the arts, sciences, &c. of civilized lands. We are aware that it is the province of Christianity to discover and first occupy fields fitted for the exercise of Philanthropy. May she avail herself of the *only* opportunity in which boasting infidelity has had the chance of competition. Let her awake and carry the Gospel to the hills of India. We tender our best thanks to Mr. Brown for his valuable paper, affording as it does sources of amusement, instruction and christian feeling. We hope that he and other of our friends will not forget us, and our readers in their excursions.—ED.]

To the Editors of the Calcutta Christian Observer.

SIRS,—I was lately induced to take a journey into the mountainous district inhabited by the singular people who are described in this paper. The object of that journey was to ascertain whether they spoke the Oriya language or not, and whether this hitherto unknown region might not be brought within the operation of our Mission.

Various and contradictary accounts had been given by persons returning from the field. I therefore determined in January, to set off and explore what is here called the country above the ghats. This country, which is up to the present time has had no particular designation, being, till the Ghumsora disturbance, entirely unknown to Europeans,

has lately, for convenience sake, been denominated by some Kundistan, or the place or country of the Khunds. That part of it which has been traversed by the Company's troops during the late disturbance, was a kind of dependency upon the Raja of Ghumsora, although, as is usually the case amongst savages, his power was exceedingly limited.

The condition of the people with regard to civilization is the lowest almost which can be imagined, with the single exception that they are not cannibals. The appearance of many of the people is wretched at first sight; but, like many other objects, this, when it becomes common, ceases to strike you. Several of their Chiefs are spoken of as powerful and fine-looking men. The only chief of much note whom I saw, was a man who, unhappily, had influence enough to rouse the people of the hills to join in the insurrection. Some of the leaders, who were native Khunds, (whom I saw,) verified the descriptions; but it appeared more suited to the assassin's than the soldier's character. Like most savages they destroy without mercy: neither age, sex, guilt nor innocence is spared. They war to exterminate, not subdue; for revenge, and not honor. Many instances of their cruel and blood-thirsty disposition have occurred during the late contest. One instance as an example may be noticed. A *dhoba* was returning with some other servants from a tank at a distance, but unfortunately staying behind, was attacked and cut to pieces, though an unarmed man.

The country we are describing is a mountainous region: its elevation is, on an average, from two to three thousand feet above the level of the sea. The cold is sometimes considerable, and the heat also often very extreme. The transition from heat to cold is often very sudden and ice, a thing unknown in the lowlands of Orissa, is commonly found here. Were this country reclaimed from the wilderness, and conveniences made for the habitation of civilized man, an agreeable change, if not a perfect sanatarium might be presented to the scorched inhabitants of the plains. Where this wretched race now wander from hill to hill, and from glen to glen—where the barbarous Khund now ranges wreckless the mountain and valley, with the murderous war-axe and deadly arrow, we trust that cities may yet arise, and villages "with their teeming population," not only busy with the arts which minister to the comfort and moral cultivation of life, but we hope also that here the praises of the Redeemer will be sung, and that these hills and valleys, now consigned to Sâtan's bondage, will one day re-echo the sound of the Gospel. The country has now been opened, let the friends of the Redeemer be awake. Here are fresh calls for renewed exertions in the Missionary field, let the Missionary of the Cross enter.

There appears to be a distinction of some sort approximating to caste, though it is different altogether in its arrangement to the caste amongst the Hindoos of the plains. The Khunds are an original people,—I suspect much more ancient than their neighbors of the lowlands, who having continued from age to age without intercourse, shut up within their native hills, have remained without progress in civilization. Whilst in the hills I met with a young man, rather an intelligent person, and obtained from him some information relative to the habits of the people. There appear to be about five distinctions or castes amongst them. The orthography of the names by which the castes are distinguished, I am compelled of course to form in the best manner I can from the sounds given me by the natives. The Sûndi appears, from many circumstances, to be the principal caste. They will not eat victuals prepared by the hands of any other caste, although, as will be seen, several castes will eat from their hands. The principal employment of this caste is to prepare the arrack, an intoxicating liquor—a thing held in high estimation amongst the Khunds as well as amongst other savage tribes. They extract also a liquor from the wild palm tree. The Gaundi or Gaonà are persons engaged in buying and selling and are in fact the Merchants of the country. The terms buying and selling, perhaps, hardly apply, barter is usually the only method of trading, for the use of money, though it may not be entirely unknown, yet it is certainly not used as a circulating medium in the common transactions of life amongst these people. Their habits are so simple and their wants so few, that any enlarged scheme of business requiring a medium, such as silver or gold, seems quite unnecessary. The Kandos are another class of persons, which may be denominated a caste: they appear to be the proper military tribe, they carry the war axe and the bow, and shoot an arrow to a nicety, as many a sad instance can testify; we will give one. A young officer during the late campaign received an arrow from a Khund on a neighbouring hill in his powder horn; it passed through one side, penetrating the powder, and slightly forced out the part of the horn near the body, giving the sensation of a blow on the side. Thus he was, by the intervention of the powder horn, providentially and almost miraculously saved from death. The Dûna are weavers or persons who work in various ways in the preparation of cloth. The cotton tree grows in these hills; but whether the Dûna prepare their own cotton thread from this tree or not, I do not know;—some suppose they obtain it from below.

The last distinction of much note I have been able to discover, is the Panna caste, supposed to be a degenerate race of Hindus from the plains, who have obtained a footing here. They are husbandman, labourers, man of business, who I suppose without a conscience make themselves useful in any way to others for purposes of profit, and are always ready to join in a speculation without regard to its moral quality. These are the detested wretches who deal in the infamous traffic of human sacrifices, hereafter to be described.

I am far from thinking that these distinctions are always observed by the different grades: as in other parts of this peninsula, and more specially in Europe, men often follow their own inclinations and circumstances in the choice of avocations, but I believe the distinctions are commonly kept up here. Some of these castes will eat with some others, but some will not. The military tribe will eat from the hands of all others excepting the Pannas. The Kundá will take nothing in the shape of prepared food from the Panna. The Panna, less scrupulous, will take any thing he can find from any caste. The Gaundi, it is said, eats from none but his own caste. The principal castes eat animal food, such as sheep goats, &c., but reject cows as food; but the Panna eats all these also—indeed any thing usually eaten by man. In the article of drinking no nice distinctions or scruples disturb their choice: they drink any thing,—the stronger the better. A nation of drunkards they are addicted to many of the vices attendant on drunkenness. An anecdote or two will serve as a specimen of the general character of all the castes amongst the Khunds. A young man going up to a tent was offered some spirits, first of one sort, then another, all of which he drank off without hesitation. Several sorts of liquor were then mixed together with some ketchup: still he showed no repugnance, but took all up, with the utmost glee. I saw an officer pour the remains of a bottle of brandy into the mouth of one of these unscrupulous people, and it was difficult to say which manifested the most satisfaction, the Khund or the officer. A gentleman expressed a desire that I should see Ram Makika*, one of the Khund chiefs, but he observed that it is difficult to find him sober. The chief's maxim is, "As much as I may find, so much I will drink, and more if I can."

On the subject of religion their minds appear to be exceedingly contracted. Some images were taken by individuals connected with the army and shown to me but I doubt whether they were not images of the low country. The figure of the elephant is seen in some of their villages, but whether as an ornament or as an object of worship, I am quite unable to say.

Of their mythology, if any really exists, we have no means of knowing at present, and the history of bygone ages who can tell? How many ages have witnessed them inhabiting these hills and valleys who can find out? No monuments, no mouldering columns of antiquity are here to record the acts, or even preserve the memory of the names of the *illustrious dead*. Their traditions extend only to a few vague notions, as improbable as they are surprising. They appear to consider the earth a diety, whom they sometimes called *Dearne*, or some such a name; and they pay a kind of adoration to the sky and elements. They appear to be confused and indefinite in all their ideas on religion, and show in all they say, how much they need divine guidance. One sad thing is now *quite certain*, that is, *that human sacrifices are numerous amongst them*; they are offered particularly at a yearly festival held about the [illegible] comes into bloom, or about the full moon in January.

A number of villages associated together, as will be hereafter explained, uniting in these infernal festivals: each institution produces a victim once a year for sacrifice. One intended victim, rescued during the march of the army, I have now staying with me at Berhampur. The victim to be sacrified may be a child or grown up person; it is supposed to be increased in value with its age. For this cause they are sometimes kept many years; if children, they are allowed to play with other children, and have irons placed on them *only* when a disposition is manifested to run away. These miserable creatures are thus kept with a full knowledge of their fate. The person staying with me, rescued by Captain Miller, was a prisoner a year; and, horrible to tell, was sold by his own parents for a small sum*. They are brought out as they are wanted for sacrifice. These horrible and infernal ceremonies are variously described, but never having witnessed any of them myself, I transcribe a paragraph in a paper furnished by a gentleman connected with the service.

"The *Meria páju*, or humane sacrifices, takes place in succession once every year amongst the confederate Mútas. The victims are brought from the low countries, or from some other distant part, and sold to the Mútás, where the sacrifices are performed. This cruel ceremony is thus performed. When the appointed day arrives, the Khunds assemble from all parts of the country, dressed in their finery, some with bears' skins thrown over their shoulders, others with the tails of peacocks flowing behind them, and the long-winding feather of the jungle cock waving on their heads. Thus decked out, they dance, leap and rejoice, beating drums and playing on an instrument not unlike in sound to the Highland pipe. Soon after noon the *Jani*, or presiding priest, with aid of his assistant, fastens the unfortunate victim to a post which has been firmly fixed in the ground, and there, standing erect, the person suffers the cruel torture (humanity shudders at the recital) of having the flesh cut from his bones in small pieces by the knives of the savage crowd who rush upon him, and contend with each other for a portion. Great value is attached to the first morsel cut from the victim's body, for it is supposed to possess great virtues, and a proportionate eagerness is evinced to acquire it; but considerable danger to the person of the operator attends the feat, for it happens also that equal virtues are attributed to the flesh of the fortunate holder of the first slice. To guard against so disagreeable an appropriation, a village will perhaps depute one of its number to endeavour to secure the much desired object, and they accordingly

* Corrupted into Mooleka.

* About four Rupees.

arm him with a knife (*meeri*); they also tie clothes round him, and, holding on by the ends, at the appointed signal rush with three or four thousand more at the miserable sacrifice,—when, if the man should be successful in his aim, they exert their utmost efforts to drag him off from the crowd. Should he escape unhurt, the whole town turn their faces to their homes: for in order to secure its full efficacy, they must deposit in the field before the day has passed, the charm they have so cruelly won."

The intention of these infernal rites, it is said, is to propitiate the earth and make it fruitful. How horrible the scenes here presented, so long practised almost within sight of the European station, and yet none knew it till the recent insurrection. At Guddapur, another and equally cruel sacrifice frequently precedes the former already described. A trench is dug seven feet long over which a human being is suspended alive, tied by the neck and heels by cords fastened to stakes at each end of the trench; so that, to prevent strangulation, the miserable being holds himself up by the hands on each side of this grave. The monster acting as priest comes, and, with an axe inflicts six cuts from the back of the neck to the heels at equal distances, repeating the numbers, one, two, &c, &c. &c, as he proceeds, and lastly, he decapitates the wretched being, whose mangled body is then suffered to drop into the grave, and is covered with earth by the multitude. Several persons intended as victims have been rescued besides the one now with me. There are several children at Chutterpur plucked as brands from the burning. They are now under the protection of Mr. Stevenson. May they return again another day to these "hills of darkness" and teach these wretched savages the way of eternal life!

The origin of these horrible sacrifices is said to be founded in the following tradition. At the time, say they, that our fathers, a *thousand generations* ago, first settled in these mountains, they had just come from a mountain in the south called Dodah. They were led by a Rani called *Attah*.* When, she being leader, (they go on to say) we first arrived in these parts, the earth was unstable and sunk under our feet, and thus was unsuited for the habitations of man. All things were then without order. Attah, however, either by accident or design, cut her finger, and the blood falling upon the ground, it not only become firm and fruitful, but also desirable as a place to dwell in. Attah, seeing the efficacy of human blood, insisted upon being sacrificed herself. Hence, say these people, we attach such value to human sacrifices, the blood of which falling upon the earth causes such benefits. Some time after her death, Attah appeared to some of the people, and complained of being alone in the other world and requested that a man might be sent her for company, whereupon several human sacrifices were offered, and the practice has continued ever since. It is said that these people are in the utmost terror least the Government should interfere to prevent human sacrifices, supposing that from hence the earth would again become unfruitful, unstable, and sink under them. When one of the chiefs is ill, something must be done in the way of sacrifice to save him. In such a case, if it is not the usual time of sacrifice, it is thought sufficient to cut off the hair of one of the victims designed for future sacrifice and bury it, but the person himself may be kept till the yearly sacrifice. It is difficult to say what relation to money the value of a victim bears, as the price is almost always paid in kind. Of the frequency of these sacrifice there can be no doubt. Capt. Miller, of the 43d N. I., rescued about twelve victims in one district alone, and he tells me that several people have informed him that forty or fifty sacrifices had been witnessed by each of these individuals. Will this infernal practice be allowed to go on? Surely it cannot be said that the Government have no right to interfere. The Government have interfered, and have hung many of the Khund principal men by sentences of courts-martial, for taking up arms. Surely it is as just to punish for abduction and murder as for rebellion. Shall *suttee* be prevented and the infernal *Meria pija* be allowed?

The country of the Khunds lies between the ghâts which form the extreme boundary south-west of Orissa; the vally of the Mahâ Nâdi is to the north, and Khemedi to the south. This country extends, perhaps from 18d. to 21d latitude north, and from 82d. to 85d. longitude east. It will be perceived that the country itself is not large. It embraces beautiful scenery, hill and vally, covered with small light jungle intermixed with the palm, the dumura and other trees rising in profusion. The loftiest hill which I ascended, is said to be about four thousand feet above the level of the sea. Having no instrument myself, I depend upon the statements of others for the height of these mountains. In ascending I passed through thick clouds and become completely wet. When I arrived at the summit just before sun-rise, the surrounding scenery was interesting and even magnificent. The deep valleys were, partly covered by the clouds rolling in thicks volumes beneath. The sun had by thus time risen, and, shining in his splendor, presented the azure vault of heaven in beautiful perspective, the clouds being all below, covering the plains and bases of the mountains with the appearance of white foam. The declivity of the hill, only broken by an unfrequented path, was inexpressibly wild. At the foot of this pass lie the ruins of several villages lately burned. The insurrection was as yet hardly suppressed: murders had been here very numerous, and but as of yesterday. Any solitary piece of jungle or

* This word in the Khund language signifies yg:and-mother.

thicket might conceal an enemy with the deadly axe and poisoned arrow. The wild cries of the beasts and birds inhabiting this desolate place, all conspired to give solemnity to the scene around. In descending the other side of the mountain, I was completely wet again by the clouds lingering at the bottom: but in the midst of this wild place a delightful sensation was excited by the sound of the British drum in the neighbouring camp, which announced that we were approaching the habitation of civilized man, and those too of my own language and country.

The hills, as distinguished from the lower grounds above the ghâts, are, as far as I can discover, uninhabited by man. There the tiger and bear reign without control. They however, often invade the territories of their lowland neighbors, and, as some other Highlanders are said to have done, sometimes levy contributions of sheep, goats, &c.; and sometimes the straying child and the lonely and benighted traveller has been taken off by them; but this is not a very frequent occurrence. This part of the country is seen at present to disadvantage. The destructive ravages of war are still visible: the towns are destroyed, and the inhabitants either dead or fled to the woods. This gives the whole a desolate appearance, but the terrible devastation of war extends only to those districts which took a decided part against the Government, and which are generally immediately above the ghâts, they will long remember the consequences of this insurrection. Not only are the habitations of men destroyed, but the harvest of last year, and all the stores for the future have shared the same fate. It is hoped the Government having chastised them as rebellious subjects, will now pity their helpless state and relieve them.

The method of building amongst the Khunds is different to any thing I have ever before seen in any part of Hindustán. They build and cultivate between the hills, leaving these to the bears and tigers. A particular valley is selected by a society of Khunds where they dwell together. It is not their custom to build a considerable town, they prefer a number of small villages at a distance from each other, and often in sight of each other. These conjointly form properly one community, called by the natives a *múlá*. Here, inclosed from all the world, they live and die; ages and ages pass away in silence, and leave not a trace behind. Here they increase and decrease, war and make peace, alike unknowing and unknown. What is beyond the neighbouring mountain they know not, nor desire to know. All the world to them is included in the space inclosed by the adjacent hills, and, like the savages of the American desert, they appear to hold little intercourse with any but their own tribe. Why it is that they prefer building a number of small villages instead of one considerable town, it is difficult to say; safety would seem to intimate the latter. Perhaps custom alone is the reason which can be assigned. Forty or fifty seems to be about the number of houses in each village, which bears a particular designation or name. One uniform plan of building appears to prevail, which plan all must follow. The village consists of one street only, either two strait lines, or two segments of a circle, or two crescents facing each other. The two ends are commonly closed by some kind of door or gate peculiar to the country. Sometimes the whole is surrounded by a bamboo fence or stockade; thus the whole people sleep as secure as savages usually sleep. The houses of the Khunds are as uniform as their towns. One uniform plan obtains amongst them: like the cells of a bee-hive, the one is the facsimile of the other. The patrician and plebeian—if such distinction indeed exist among them—are lodged the same. They eat, drink, sleep, and perform all the duties of life in precisely the same sort of habitation. Even the ancient leveller might here feel satisfied: every man appears in similar apparel; eats the same kind of food; drinks the same sort of drink; sleeps on the same kind of bed, and pursues similar amusements. Every thing shows the primitive state of society. As each house constitutes a part of the side of the same street, there is a front door leading into the street at the village, and a back door leading to the outside; but in some few cases the back door is omitted, leaving only the one leading into the street, as noticed before. This, I believe, is the only variation I have observed in the manner of constructing houses among the Khunds. There is a room in which the family sit and eat, which, being pretty large, is frequently also occupied with store, consisting of baskets of grain and such sort of vegetables as the country affords. The other room, much smaller, is occupied as a sleeping room: this room is much more retired than the room first mentioned. The whole is built with wood unlike the houses of the people of the plains who build with mud. These houses must be dreadfully uncomfortable during the hot season. It is not very easy to conceive how human beings can, in such a country as this, and in such places as these, avoid suffocation. They might be tolerable in the cold season, but to find how they exist during the hot months is to us, though I suppose not so to them, the greatest difficulty. Their houses are sufficiently large to admit many persons, and high enough for any man to stand in very comfortably.

Respecting their *domestic habits* little can be known at present, although perhaps as much as is really known of the secret and retired habits of the people of many other parts of this great country. Like other savage nations, they eat apart from the women. The men perform the labors of the field, and the women the work of the house, as in most other parts. The dress of the Khund is similar to that of other people of this country, and appears to be well suited to the climate. The women wear nearly the same clothes as the men, but somewhat differently put on. They add a peculiar kind of necklace made of wood usually dyed red. The body is to a great extent exposed, but the frequency of the sight takes off from the mind any unpleasant effect. They are

said to go with their necks uncovered till they are married, and have children.

The people are usually of the same size as other people about these parts. Some of the men are fine, powerful-looking persons and some of the women are good looking, and would be more decidedly so if they were well-dressed. The men allow their hair to grow long; they then bind it up into a large knot, and fasten it to the front or side of the head with a small comb or iron hair pin. The hair also in many cases appears to be dyed with a sort of black color, which makes it shine like jet. The ornaments they wear, both men and women, are of the simplest kind, made either of the iron, or of some sort of bone exceedingly hard; some are also made of wood dyed by a simple preparation of their own. They have no gold or silver, and they have no need of it in the common concerns of life; nor would he be the best friend to them who should introduce it amongst them, giving them, avarice for generosity, and luxury for simplicity of life.

The qualities which apply to most uncivilized nations apply also to these people, —such as hospitality and a certain kind of confidence when a pledge is given; and in certain cases there is a degree of, honesty in their transactions, but there is also consummate cruelty in war, taking no prisoners, because sparing none in the hour of combat. They use consummate art and treachery in compassing the destruction of an intended victim. They are patient in fatigue, persevering in difficulties. They pursue their object with unrelenting hatred, inviolable secrecy, and with almost certain success. The escape of Dora Bisaye marks strangely the character of these people. "Give up, say the Government, Dora Bisaye and the other leaders and your villages will cease to burn, and yourselves and your helpless wives and children will cease to suffer. It is impossible to suppose that Dora Bisaye could have escaped without the connivance of the suffering people. The leaders of the insurrection that were lately taken by surprise is a circumstance which strongly marks the horror the people have of a violation of hospitality, and it shows to what extremes they were driven before they would even connive at the delivering up of any of their chiefs.

The unfortunate chiefs lately taken and hanged, were not exactly betrayed after all by the people who had given them refuge. On the approach of the detachment, these men were left behind, the place itself being deserted. They were induced by some circumstance to go to another place where no pledge had been given them, and by these people they were pointed out to the military and thus were taken. One only of the leaders appeared with a straw in his mouth—a sign of deep supplication; the others shewed no fear; indeed there was a sullen sort of daring manifested at the place of execution by most of these unfortunate men.

The country is capable of much improvement by the application of labor. The valleys are rich, the trees and plants, springing spontaneously, are such as will support life, at least for a time. The palm tree, as before intimated, supplies the people with an intoxicating liquor. The top of this tree growing wild, supplies a kind of vegetable, something like a cabbage, and the bark, when properly pounded, supplies a sort of flour, from which is made a cake eaten by the natives, this, when cut and dried, will keep for a year. I have preserved a cake made of this bark—it is not very unpleasant, but is not equal to bread made of wheat or even rice. Rice grows here in abundance; and amongst roots, the yam is in great perfection. I have no doubt but most of the English plants and vegetables would flourish here. The soil is thought in many places to be peculiarly suited to the growth of potatoes, but nothing nearer to the potatoe than the yam, is found here at present.

The mountain torrents are pretty numerous, and might, by the application of machinery, be made to irrigate the ground. By forming tanks and applying what the Oriyas call *benqalas* (simple machines for throwing up water into *nallas* made for the purpose), the water which now uselessly traverses the desert might be made, by a little industry, to fertilize these plains, and cause the wilderness to smile as the fruitful garden. Add to this the moral cultivation of civilized man, and, more than all, give to the people the enlightening influence of the Gospel, and then how happy will be these lands, till now unknown, and opened now to our view only by the operation of hostile armies, and the desolating hand of war.

War is a trade that these people engage in amongst themselves. I have before noticed that a number of villages situated in the same valley are connected with regard to their political and social relations: these are sometimes brought into a hostile relation with another glen or *mutá*. The seeds of contention are as numerous here as in any other country, but what have principally presented themselves as subjects of angry dispute, are questions of boundary. These *mútás* or collection of villages are distinguished by a particular name, and the people under their own leaders obtain a distinct social relation with peculiar interests and vested rights, and are distinct from every other tribe. Each of these separate communities are expected to keep within their own limits, and not to encroach upon the boundaries of their neighbor. A misunderstanding on these subjects leads to terrible results and a great loss of life. The collector has settled some questions of this kind, which, if adhered to, will be productive of good. Seven or ten years have sometimes been wasted in these disputes, and the fatal bow and hatchet has often been the sad arbiter of these boundary quarrels. Their instruments of war may be noticed. They are the small hatchet, the bow and arrow,—the arrow is sometimes poisoned; fire-arms are, I believe, very unfrequent, but they know the use of the match lock. They are, as we have seen, pretty good marksmen, and do terrible execution with the

war-hatchet in the moment of excitement and at close quarters. There are no details, however, of battles fought or fields lost or won. The laurels have faded on the brow as soon as placed there: for here is no "storied urn, nor animated bust," or minstrel, or grave historian, or eloquent orator to perpetuate beyond the passing moment the bravery of the soldier, the glory of victory, or the disgrace of defeat. Discipline or science is hardly to be expected amongst these rude soldiers of the mountains. Like the contentions of the ancients, their fights are *frays*, not *battles;* and perhaps, like the feats of Homer's heroes, the whole may consist of a multitude of single combats, in which they murder each other without mercy. An affray of this kind lately took place: several men were destroyed. When we consider that these disputes are local, and few men engaged, the number in the ratio of the slain was very large, perhaps exceeding some of the battles in modern Europe.

I have made a few inquiries respecting the *government* of this singular people; it appears to be exceedingly simple, but adapted to their wants and circumstances. It has been observed that several villages are situated near each other and are politically connected. Each of these villages has a man chosen* from amongst the rest to bear a kind of rule as head of the village community. There is a person styled Malika, who bears a sort of sway, and connects the different villages of the same máthá, so that they sustain one social relation. These gentlemen are not always the most respectable for sobriety. Ram Malika above mentioned is an instance. This person is personally known to several of the Madras army, and has rendered some little service to the Company's cause, no doubt from the purest motives. The Raja of Ghumsora was nominally at least, the superior lord of this part of Khundistan, who had a representative not always the most obedient, whose title was Dora Bisaye. If report does not belie them, these people of the mountains used to show their loyalty and attachment to their liege lord by robbing the train of the Raja of such shinning baubles as they could find. They seldom paid him tribute—never in a regular way. An occasional present would sometimes be given, but this usually when a quarrel existed amongst themselves to propitiate him and make him one of a party. The Ghumsora Raja, like other eastern princes, was in the habit of "visiting his people." He usually paid a visit to the hills once a year. It was on these occasions that the Khunds are said to have robbed the Raja train. The government of this people is very primitive,—something like the system adopted by king Alfred. The word Malika signifies one responsible in whose charge are others. The defect appears to be that the power or inclination or both, is often wanting to enforce the penalties of the law. There are, no doubt, some common laws or usages amongst them, for how could a community be held together without? Still it is the strongest arm bears rule, and force is often the arbiter of right and wrong. Our intercourse with the Khunds is so recent, and the medium of communication so imperfect, that much, very much, is still in uncertainty. The statesman, the naturalist and the Christian missionary will find hereafter many sources of information not yet opened, and much to correct of the opinions already formed.

Poligamy appears to be practised to some extent amongst the Khunds. A man seeks a wife by a present at the hands of her parents, or the parents on each side settle the whole business. Sometimes a valuable consideration is given, such as a cow or some other valuable article, but in some cases nothing is given to the parents, and the presents are simply gifts given by the bridegroom to the bride. The form of marriage is represented as exceedingly simple. After matters are finally settled, and the ceremony is to be performed, a person is selected, who in the presence of the young woman's mother as a witness, places a string or thread round the necks of the young people, and pronounces them lawfully married. I have been told since leaving the hills that an hereditary order of priests exists amongst the Khunds, and that they are very shy of the sahibs, and with reason, as they, no doubt, are the principal supporters of the horrible human sacrifices above described. The general impression is, that there are no priests excepting persons temporarily chosen for a peculiar occasion.

Adultery is said to be unknown; and if a case occurred it would instantly involve the death of the guilty parties. It is remarkable that no temple is found through all this country, and, unlike the people of the plains, who dedicate the largest and most substantial building in the town to idolatry, there is here no building dedicated to the service of any deity. Thus it has been usual to describe this country as "a land without temples or priests."

Whatever ceremonies are performed take place in the open air amongst the assembled multitudes. The places of sacrifice before described are solitary and retired spots,—sometimes amidst dense jungles. They are so dreaded as never to be visited on common occasions. The ghosts of the sacrificed victims are supposed to haunt these places like fairies in German romances. Thus every district has, like the hunted banks of the Rhine, its sprites and demons watching ever mankind for evil or good.

The character of the people has been before hinted at. It is variously described. Some say the Khunds are remarkable for honesty; others, again, say that they are arrant thieves. Perhaps these different points of view, or to different persons, may all be true. They are not remarkably honest, if the story of their robbing the Ghumsora Raja be true.

* Some say the office is hereditary.

Amongst such a people Robinhood's maxim is sure to prevail.—

> The good old rule, the simple plan,
> That he should take who has the power,
> And he should keep who can.

The law of theft, as explained to me, is this. If you find a man actually stealing in your house, you may kill him; but if the things are actually taken away, and the thief is discovered, the crime only involves restitution, which is made by selling or otherwise disposing of the offender's property. This business is settled at a village council, which appears to be the only court of judicature known here.

The custom of burning the dead prevails to a great extent, few being buried excepting infants or sacrified victims. They are very tenacious of carrying away the dead. Whilst engaged with our troops during the late disturbance, they always, if possible, carried away their dead companions.

The Khund language is different to any of the surrounding dialects. It is not Oriya, Tailinga, or Hindustani, or any thing like these languages. *It is entirely unwritten not a letter, not a character representing sound is amongst them:* every thing is therefore trusted to the vague and uncertain reports of memory. The proclamations of Government during the insurrection written in the Oriya character, but in the Khund language, when read to them, appeared to be pretty well understood.

A circumstance occurred during my stay in the hills which illustrates the primitive character of these people. The collector very kindly took me to see a part of the country where the ravages of war had not reached. There saw the people in their natural state, unsuspicious of Europeans, for they had continued quiet during the insurrection. Whilst there, we heard a considerable altercation amongst the people of the village; and on inquiry into the cause of the dispute, we found it was respecting offering a goat to the collector. They said it was a shame for the Raja of the country—meaning the collector—to pay them a visit and not to offer him a goat. That a goat ought to be furnished, all agreed; but how and when to furnish the goat, was not so easily settled. After leaving the place the people came running after us, and we found the matter had been settled. The goat was brought and laid at the great man's feet Being refused, it was again brought in the evening to the tent, but what was its fate ultimately I know not. There was not a thought of presenting silver or gold, but simply the fruits of their flocks.

The birds are the same generally in these mountains as in the surrounding plains. The parrot is much smaller than that I have usually seen. The peacock is rather large. Tigers, leapords, panthems and bears are numerous. One instance of the boldness of these creatures may not be amiss. Two goats were sleeping within the limits of one of the camps; it was not later than seven in the evening, and they were both taken away.

Several kinds of musical instruments are found here. There is an instrument made of reed or bamboo, and something in the shape of the harp, upon which it is said, the natives play with considerable effect. I heard an attempt made to play upon one of them, but the noise was not agreeable. They have also the native drum or tomtom, a kind of martial music with them as with us: a gong was also used by the leaders of the insurrection to call the people together on an emergency. They are now nearly all dead: some have fallen in battle: others, more unfortunate, have fallen by the hands of the executioner. Dora Bisaye, so often mentioned of late, is still at large, if not *already* destroyed by tigers or famine. Bahabalindia, corrupted by us into Babalundar and Babalundar, another chief, was a man who obtained distinction by murder and treachery. A person being obnoxious to the Ghumsora Raja he was asked to take him off; upon this going into the hills where the obnoxious person lived in search of his victim, he attached himself to him, and served him six months, still like a true savage concealing his purpose and waiting an opportunity to effect his object. At length, being alone with his victim, he struck off his head, and taking it all streaming with blood to the Raja, he received as a reward the sounding title abovenamed, the meaning of which is, *king of great strength*. He was hanged at Nuaguam. Baliyar Sing, a man of Gullery, who headed the party that murdered the two young officers, Bromley and Gibbon, was executed at his native town. These with a few more persons from the Ghumsora people, induced the miserable savages before described to take up arms against the British Government. Nothing but the most shameless misrepresentation, as it respects the real power of the Company, could ever have induced these people to try so dangerous and, as it has turned out for them, fatal an experiment. The commencement of hostilities with the Khunds was the unprovoked attack upon the party escorting the Raja's family. Previous to this they always had been treated as a neutral people. It is remarkable that the leaders before mentioned, and who excited the Khunds to insurrection, were not themselves Khunds but *Oriyas*. The aggression was their own, but they have paid awfully dear for their interference in the Ghumsora affair, and the severe chastisement they have received will not soon be forgotten; and this generation I should think must pass away ere we see another Khund war, or before the British troops will have again to ascend the ghats to quell an insurrection.

Christian Observer.] W. BROWN.

THE OPIUM QUESTION.

We hear that the Merchants and others engaged in the Opium trade are about to apply to Government for some relief from their onerous purchases of this year. Grounding their application upon the indulgence accorded last week to Mr. Cohen, who was let off altogether by the cancelment of his purchases, and thereby relieved from a loss of at least 200 rupees per chest, they solicit a reduction in price and a corresponding refund on the chests that have been exported or paid for in full, to the extent of the difference between the prices of the lots at the three first sales and the average prices of the June sale. They conceive that those who have faithfully performed their engagements, and this in some cases at great inconvenience, are entitled to quite as much consideration as a defaulter, and that they also have a good plea for asking for the same reduction on the Opium shipped, as on what remains in the godowns, because the China market has been not only a losing one in the nominal prices current there since the beginning of the season, but in fact there has been almost no sale at all, for but very few chests of Opium gone on this year from Calcutta to China had been disposed of up to the date of the last accounts If this boon be granted, it will affect about 11,000 chests, the abatement upon which will amount to about twenty-two lakhs of rupees. —*Calcutta Courier, July* 19.

The *Courier* mentions that the Opium purchasers are about to apply to government for compensation to the extent of twenty-two lakhs, or in other words that the Opium Board should take upon itself their losses of this year. We think this an exceedingly fair proposition, and one that the government cannot hesitate for a moment to comply with,—provided the purchasers agree to pay back the profits of former years, otherwise it is clear the Board will always have to play with the merchants the game of *heads you win, tails I lose* The ground, however, of the present application is, as we are informed by the *Courier*, that Mr. Cohen, who proved a defaulter to a large amount, has been let off. We suppose he was let off, because he had nothing to pay; but we do not hear that the Board refunded him any thing. The error appears to have been in a loose system of business in not causing the conditions of sales to be strictly complied with. But are there any of the present applicants who have not occasionally benefited by the indulgence thus afforded? If they have not, they may justly complain of partiality; they may fairly say to the Board, you have encouraged men of straw to run up prices by your lenity, to the injury of your bona-fide customers, and therefore we ask for relief. A monopoly can only be fairly conducted by the utmost openness and the strictest impartiality, and certainly the trade at large may complain that the Board has never enforced its threatened penalties. But we doubt whether the merchants on the spot have not rather encouraged the gambling speculations of those who are now defaulters, by advancing almost to the full value on their purchases, and thus enabling them to speculate heavily without capital. The profits of former years have encouraged this gambling spirit, and the capitalists are now suffering either by over-advances or by having had their own purchases made dearer by the competition of persons who never had the means of paying a loss. Whether the government yields to the present request or not, it appears certain that the whole system of sales must be reformed, and that whatever conditions are published must be strictly enforced for the future. If the opium of the season were advertised for sale at the Company's godowns, as salt now is, it would put an end to the present system of gambling. The whole might indeed be purchased up by a party possessing capital sufficient, but the same thing could be done at the public sales and the government would not suffer from such intervention: on the contrary, it would only receive the amount of the season so much the sooner.—*Englishman, July* 24.

Our remarks on the petition of the Opium purchasers have brought us several letters, which we should have noticed earlier, but as we were informed that the petition was to be read in council yesterday, we were unwilling to say more whilst the cause was still *sub judice*. As we suppose the government has now come to a determination on the subject, we reply to our correspondents by saying, that *nothing in* their letters has at all altered our view of the request of the dealers to be relieved from their losses at the expence of the revenue; the only argument that we have heard of their using, is the indulgence granted to Mr. Cohen, by not pressing him for the penalties of his default. If every previous defaulter had been compelled to pay strictly according to the terms of the sales, then indeed the petitioners would have had a plausible claim for the indulgence of which Mr Cohen's case had afforded the first precedent. But they knew perfectly well that the Board's system of sales was a fast and loose one, calculated to favor the resident speculators, and when the hardship of uncertainty towards distant capitalists was pointed out, the answer always was that the system worked well for government. If so, it also worked well for the Calcutta speculators, and therefore we can see no reason why they should expect a pecuniary boon to the extent of twenty-two lakhs of rupees or thereabouts on the very first occasion that the system *works ill* for

them. What we think they might ask with fairness is, that the number of chests of Opium purchased by Mr. Cohen should be withdrawn from the sales of the present season. They say that this quantity is thrown on a depressed market by the act of government; but though this is not strictly the case, inasmuch as the whole quantity of the season is not increased by a change of purchasers, yet, as the effect of this defaulter's purchases in the first sale must have been to raise the price through the season, it would not be too much to expect that the Board should counteract the effect of their own vicious system so far, as to withdraw an equal quantity. The effect on the coming year's supply would not matter, as the quantity being still unknown, markets cannot be affected by the anticipated crop of 1837. No one could justly complain of such an arrangement, and the *bona fide* purchasers would be certain, that the whole China supply would be this year reduced by that quantity, of the effects of which on prices they now complain.

More than this we think cannot be reasonably asked, though, if the Bengal Government, in that spirit of liberality for which it has of late years been so pre-eminently distinguished, should chuse to make the purchasers a present, we shall rejoice in our neighbours' good fortune, hoping that some of the crums of public bounty will one day or other fall to the share of us poor editors, either in the shape of increased weight or reduced charge for the postage of our valuable lucubrations.—*Englishman, August* 1.

A rumour was prevalent yesterday morning, that the Government had acquiesced in the prayer of the Opium purchasers for a refund of the deposit of 30 per cent. on the last sale, and a cancelment thereof. We confess, we can scarcely give credit to such a decision, involving as it does a relinquishment of revenue to the amount of some 20 lakhs of rupees, and looking as we do to the exigencies of the state, under the plea of which titles are questioned and proprieties hitherto free are assessed from one end of the country to the other. We would not, however, be misunderstood in supposing we do not sincerely regret that any parties, be they who they may, should have made an improvident bargain; but as public writers, regarding steadfastly the general weal, we must protest against any application of the resources of the country to relieve individuals from the consequences of their own acts. What are the facts? For several years, the traders in Opium have realized very large profits. This year they are exposed to loss, but why? Because in the face of a cent. per cent. increase production, including Malwa Opium, and in defiance of the state of the China Market, and the discouraging advices daily received, they ran the biddings up far beyond the limits of all reasonable calculation. We know not, if Government has acceded to the desire of the petitioners, how they can for a moment hesitate to refund to the sellers of bills the difference between 2s. 2d. and 2s. 1d. the rates at which their advances on indigo, &c., have varied during the last two or three months. It is indeed alleged, that Mr. Cohen's purchases were canceled, because he had made no deposit, and that therefore the persons who had complied with the conditions of the sale, ought not to be put in a worse position than a defaulter. There is, however, this difference. Mr. Cohen was considered the mere mouthpiece of sundry parties, "without a local habitation" and almost "without a name" or such as would have been of the slightest use to the Government in the realization of the penalties incurred by breach of contract. We may assume, therefore, it was rather "necessity" than "virtue" which counselled the liberation of Mr. Cohen or rather his clients from their engagements. How this necessity arose is a question we humbly submit to the Board of Customs, Salt and Opium for solution. But in the case before us, the Government has touched the "siller;" and we can imagine no more uncomfortable countenance than that with which the sub-Treasurer received the "hookum" to refund. In Leadenhall Street too, there will be "weeping and gnashing of teeth"—when the accumulations of 10 years and half-batta squeezings are swept away at "one fell swoop."

One argument we have heard mentioned is, that Mr. Cohen's 900 chests will be thrown upon the market to the injury of the other purchasers.

We do not, however, think there is much weight in it; for assuming the Government had proceeded with the resale (as we think they ought in what better position would those purchasers have been? At all events a suggestion of our morning co-temporary to throw those 900 chests into the next year's sales might be adopted without such serious objection as we hold to exist against a refund of the deposits. One word more; we warn the Noble Lord at the head of the Government, that the responsibility of this rumoured refund will be on his head, and his head only. The advice and suggestions of Secretaries will have no force in the conclaves of Leadenhall Street or at the Board of Controul.—*Hurkaru August* 2.

The rumour of the Government having complied with the petition of the Opium purchasers for a refund of the deposit and cancelment of the sale, to which we alluded yesterday, is, we understand, premature; but the delay is ascribed to an intention of making good to the purchasers at all the sales this year, the difference between the cost and selling price, with interest at six per cent. per annum, as soon as the latter shall be ascertained. Lucky purchasers! considerate Government! Where is this benevolence to end? If those who have fattened on Opium profits for the last ten years, are thus relieved from the consequences of one unfortunate hit, may we not calculate on the extension of similar favor to the shippers of indigo and silk through the Company's

advances, should they arrive at a bad market. With this precedent, we do not see how an application can be refused. Poor Army, you had no friends at Court to urge the repeal of the Half-batta orders—you had no interests in common with the influential advisers of Government; and your miserable pittance was mercilessly cut down to starvation point. The wealthy "*soudagur*" has his lot cast in very different colours. Heads or tails, he is sure to win, and delighted are we at his success. The good people at home on hearing of these doings, will reasonably conclude, we are suffering from a plethora of wealth, and that there must be a large surplus revenue over all the wants of the country, education, roads, bridges, &c. &c. The effect of this magnificent liberality upon the resources of the year will be something like the following:—

Opium put up for sale, ... Chests	17,000
Sold	9,000
To be burnt, we conclude,	8,000
Sale of 9,000 chests on an average, 1,500 each, ...	1,35,00,00
Loss by the purchaser to be repaid by Government, say 500 each.....	45,00,000
Cost of 17,000 chests, say 300,.....	51,00,000
	96,00,000
Revenue,.....	39,00,000

[*Hurkaru, August* 3.

To the Editor of the Englishman.

Dear Sir,—The *Hurkaru* no doubt fancies that it has made a prodigious hit in its Opium speculations of the past two days. But, fie, he! as Capt. Narcissus Fribble hath it, one would really take the musing of that excellent diurnal on the subject rather for the incubration of some "royal merchant" anxious to invest the amazing sum of four thousand rupees in six chests of Opium, than for those of the intelligent and well informed *Hurkaru*.

In the first place it really would have been well if that excellent journal had made itself acquainted with the real objects of the petition presented to Government by the Opium merchants, of which it seems now to have about as clear an idea as a Laplander has of pine-apples. Look before you write is as good a maxim as "Look before you leap," and if he *Hurkaru* would *only* look at the Opium petition before commenting on it, such a proceeding would afford great comfort to that excellent journal's readers, since they would then stand some chance of knowing the rights of things.—But, the *Hurkaru* fancies it has made an amazing hit when it says:—

"If those who have fattened on Opium profits for the last ten years, are thus relieved from the consequence of one unfortunate bit, may we not calculate on the extension of similar favor to the shippers of indigo and silk through the Company's advances, should they arrive at a bad market?"

Now I will say at once, that if the Bengal Government was the sole dealer in the silk and indigo produced in Bengal;—if silk and indigo could only be carried to England for sale, and there was no market for it elsewhere;—if Government sold silk and indigo for that purpose;—if on the arrival of silk and indigo in England they found not merely a "bad market," but a sudden act of the King, Lords and Commons, which made it nearly impossible to land the articles in any part of Great Britain or Ireland;—if that act of the King, Lords and Commons, had been preceded by a honied declaration from lots of ministers and influential members of the houses that so far from prohibiting the import of silk and indigo, it was very desirable that the duties on those articles should be lowered,—then, I say, under those circumstances, the Government of Bengal would act wisely and honestly to step in and save those who had dealt with it for silk and indigo from ruinous loss.

If the speculators in opium had raised their bids at the sale room till they were out of breath and black in the face, and burst the waist band of their breeches, and the buckles of their waistcoats,—if they had bid 41,763, 241 rupees per lot, and had lost it all by the ordinary fluctuations of the Opium market in China, I imagine that Government would have looked with an amazing grin, such as Governments alone can give, at any petition from the speculators to be relieved from any portion, however small, of their losses. But when the Chinese Dragon, after pocketing his tail and muffling his claws for about forty years, all at once comes down with a fell swoop, teeth, nails, tail, sting and carcase, upon the Opium market; I do see very just cause why the state of the unhappy crushed ones, whom he has lured within his grasp, should be fully and fairly considered by the only party which can afford them relief. And more especially should it be considered by the British Government, because it is by no means so clear as gin and water, that the blow is not indirectly aimed through the ribs of the unhappy Opium dealers *at* the British Government, either by the Son of Heaven on his own account, or on behoof of his mighty neighbour, for more of which see the *Port Folio*.

But the *Hurkaru* has another thing to "dazzle and surprise" in an ad captandum kind of appeal to some two hundred thousand men, averaging from five feet seven to six feet four, with whiskers ad infinitum, three hundred pieces of artillery, and bombs, and rockets, and shells, and deviltries of all kinds without number, which gentle assemblage the said *Hurkaru* is pleased to apostrophize as the "Poor Army." "Poor Army," say the *Hurkaru* "you had no friends at court to urge the repeal of the half-batta orders—you had no interest in common with the influential advisers of Government; and your miserable pittance was remorselessly cut down to starvation point."

Now it is presumed that the "Poor Army" is paid out of the revenues of the country, not for one year only but for every year. But what would the paymaster deserve, if, for the sake of grasping an overgrown revenue for one year, he destroyed that of two or three years to come? This is exactly how the case discussed by the *Hurkaru* stands as a mere measure of finance. He who runs may read. If the exorbitant Opium revenue of this year be exacted to the last marvedie, and Government has now on its hands ample means for exacting it, what the devil do you imagine will become of the revenue of the next two or three years? We will supply it," cries the new house of Figginson, Bugginson, Tickleman and Crowdry, who already want to buy at least four thousand rupees worth of the drug. Very likely, replies the financial secretary, but, in the meantime, let us preserve our old purchasers, for the more competitors the better for the revenue, and a hundred and one birds in the hand are worth a hundred and two on the top of a mango tree.

But now comes the last hit—when did the *Hurkaru* find out that 9,000 chests of Opium have been sold and 8,000 remain unsold? Is the *Hurkaru* not aware—(and if it be not aware then it is no newspaper, for a newspaper is bound to know every thing and every body on the face of the earth, and in London, and at Little Pedlington)—is it not aware that the whole investment has been sold? That upon all which has been cleared the revenue has been paid, and that upon all which has not been cleared except 900 chests, the Board of Opium are known to hold deposits of 30 per cent. on the sale price, or more than 25 lakhs of rupees? If the Opium remaining in store is all resold to Figginson, Bugginson and Co. for no more than 800 rupees a chest, still a vast revenue is as secure to the public as if it were already in the coffers of the State. Does not the *Hurkaru* know that no puchaser had an idea of cancelling his sale in order that the opium might be *burnt*, but of cancelling it that the opium might be *resold* on terms of immediate payment and exportation? Does not the *Hurkaru*, I say, know these thing? If he does not why does he write anent them? If he does, why does he misrepresent facts and call upon the "Poor Army?" Why did he not look at the petition? Why did he not consult merchants? Why was he not continually running backwards and forwards between his own corner of Hare Street and the Exchange? Why did he not appear with dishevelled hair and an agitated jacket in all the streets of the town? Why did he not lose his appetite? If he did not do these things, I ask why he omitted such demonstrations at such a crisis, which would have been more proper and becoming than handing us over to the "Poor Army?"

Yours obediently.

Calcutta, August 3. SILEX.

Our correspondent SILEX falls foul of the *Hurkaru*'s Opium speculations, which, in his opinion are likely to be as unsuccessful as those of the merchants. We willingly deliver over to his tender mercies all that our contemporary has advanced about the propriety of relieving the silk and indigo traders from the rate of exchange which they have been compelled to pay, as also his supposition about burning the remaining Opium, otherwise than in a Chinaman's pipe; but we cannot altogether admit that our correspondent has made out a good case in other respects. However, in regard to the speculators, we have already expressed our opinion so freely that we do not consider it necessary to revert to the matter. If the arguments of SILEX can do anything for them at head-quarters we shall not regret the circumstance, though it may be contrary to our anticipations.—*Englishman, August* 4.

A Correspondent of the *Englishman*, in a letter, which we copy, under the signature of SILEX, has saved us the trouble of replying seriatim to the arguments of the *Hurkaru* upon the Opium relief question. We shall therefore merely notice a few striking circumstances in the manner in which it has been taken up by our contemporary. In order to make it appear that the boon solicited by the Opium merchants will involve, not the twenty-two lakhs of rupees at which we estimated it, but a very enormous sacrifice, reducing the revenue from two crore and upwards net to only thirty-nine lakhs of rupees, the *Hurkaru* first *concludes* that all the Opium now in the godowns is *to be burnt!* Secondly, the quantity shipped is estimated at 1500 rs. per chest, whereas the average of the lost cleared and shipped off, being principally those of the first sale, is about 1,600 rs. per chest. Thirdly, the deduction to be made from the price paid by the shippers is put down at 500 rupees per chest, a sum they have never asked for; and lastly, the cost of the Opium to Government is charged about ten lakhs more than the actual cost. It would have saved our contemporary some trouble in the calculation, if he had *supposed* the generosity of Government to have returned all the money paid them this year for Opium, and so put up with a loss of some forty lakhs instead of a gain of more than five times the sum. His ingeneous statement reminds us of the waste of ingenuity so amiably displayed about two years ago in order to depreciate the credit of the Bank of Bengal. But nowhatever the flinty nature of the *Englishman's* correspondent may imagine—"We (says the *Hurkaru*) would not, however, be misunderstood in supposing we do not sincerely regret that any parties, be they who they may, should have made an improvident bargain; but as public writers regarding steadfastly the general weal, we must protest against any application of the resources of the country to relieve individuals from the consequences of their own acts."

Here is a declaration that our contemporary has some bowels of compassion; but alas! the interests of the country! the duties of a public writer! compel him to protest against any attempt to relieve the distressed parties. Did these duties and these interests stand in

the way of his advocating relief to commercial firms of the old time under embarrassments also of their own creation in the same sense? Has he not lately justified that measure? Did these duties and these public interests make him deaf to the complaints of the poor Zemindars of the 24-Pergunnahs, when their very reasonable petitions for a partial remission of the arrears due by them was negatived by the Government last year? In those instances the *Hurkura* was the advocate of the distressed. *Why* has it changed its colors now? The *Hurkura* affects to regret the improvident bargains of the buyers of Opium, but won't hear of the improvidence being relieved out of the purse of the *sellers*, those who have profited by that improvidence! those who are thus acknowledged to have sold too dear! But the case is not entirely a matter of option: the Government cannot reckon upon realizing the nominal amount of the sales. The Opium remaining in the godowns amounts to about a crore of rupees, and there *must* be more defaulters if the sale prices are insisted upon. Would the *Hurkura* approve of the principle of dealing rigorously with all the men of substance, the good customers of Government, and letting off the men of straw? To be sure this would be a levelling system, for it would tend to reduce the former to the condition of the latter. —*Calcutta Courier, August* 4.

To the Editor of the Bengal Hurkaru.

Dear Sir,—Without having the slightest pecuniary or personal interest in the question, I have been anxiously expecting the decision of Government on the appeal, which it has lately received from certain speculators in Opium, and whose hopes of success appear to be founded rather on the weakness and indecision, than on the liberality and straight forwardness which ought in a peculiar degree to characterize the operations of Government. I am not prepared to say that Government, like the Duke of Newcastle, has a right to do what it likes with its own; but it does appear somewhat singular that what is on the tip of the tongue of every other person, should have escaped the penetration of the advisers of Government. It is no easy matter for a Commercial Government to be justly generous, and as a general principle (unless it can distinctly see the end and result of its generosity) it should never attempt to be so. It is perfectly notorious that there is more of risk and more of downright gambling in the Opium than in any other description of trade; and it is somewhat curious with the knowledge of this fact, that the proper authorities have not been able to suggest to Government some means by which they might be saved from total loss on a purchaser's neglecting to fulfil the conditions of sale. Some 15 or 20 per cent, paid down when the bid is taken, might be sufficient; no private establishment would subject itself to such fool's play. The broad shoulders of Government are alone capable of bearing the further; but look at the positive mischief and injustice created by such a system, and then say whether a compliance with the requisition of the petitioners would subject the Government less to a charge of weakness than of wickedness. A, may have been a regular and honest customer of Government for the last 20 years, sometimes losing and sometimes gaining on his purchases, but always pocketting his loss and selling promptly; and in consequence of the depreciation of the value of the drug in the China market being a heavy loser on his purchases at the last three sales; he, however, buoys himself up with the idea that things *have* seen their worst and attends the last sale with the hope (and if all had been, as it ought to have been, his hope was only reasonable), that he might be able to continue his trade, and effect purchases at a price, which might in some degree compensate for his former losses; his object is to buy cheap. There is, however, another party, who we call B, who still is a holder of opium purchased at the three sales, and whose interest it is to maintain prices. These parties having opposite interests meet in the sale room, A, laughing in his sleeve, knowing tolerably well that B had gone petty well the "whole hog," or in other words, had run the full length of his tether. I have now brought you into the auction room, and remember, I do not tell you that what next took place was with the privity or connivance of B; but I do say, it was admirably calculated to further his interests, do disgust poor A, and to humbug, and sacrifice the Government. A gentleman who afterwards declares himself a pauper, comes forward and bids away beyond what A thinks it prudent to give, and sufficiently high to satisfy B; now if it had not been for the intervention of this party, how different would have been the position of A and B. A might have purchased at about 1,200 rs. per chest, to which price B. (unless he could have mustered in ready coin) must have submitted for the lots held by him.

The Government ought to consider, that it is possible for a party in the situation of B, (not daring to appear in the transaction himself) to employ a broker or any underling in his office to bid up the price of Opium, without having the slightest notion of complying with the conditions of sale, and then (for people are not always so modest as the Government appear to think them) submit a well written memorial begging that they may be put in the same position as the said broker or underling. This, Mr. Editor, is indeed a new way to pay old debts!

Yours obediently,

Hurkaru, Aug. 4.] L.

The *Hurkaru* says, with reference to our yesterday's remarks upon the Opium petition, that we do "not understand what is meant by arguing a matter on its principle"—which remark is a finesse of our contemporary to get

aid of a very apt example we produced against him, which SILEX, who has taken up the cudgels for us in our own columns to-day, pushes well home. The *principle* was exactly the same in both cases, a principle of *indulgence*. But what sort of principle is this of the *Hurkaru*, that, because Government oppressed the zemindars, they ought to oppress the merchants—because one appeal has been harshly dealt with, another *ought to be* treated in the same manner—because one judgment has been wrong, all judgments *ought to be* wrong, for the sake of consistency?

The pressure upon the Opium merchants tells the more severely, because it comes upon them at a time when the severe mercantile pressure in England has impelled its tide wave to all parts of the world. But the extent of the financial inconvenience now experienced this particular trade will be better understood by comparison with last year—a year when the Banks were overflowing with money which they did not know what to do with. In 1836, by the 1st August, there had been shipped off 11,728 chests of Opium, leaving but a few hundred chests in the godowns, and the amount thereof at 1300 rupees average was about 152½ lakhs of rupees; but of this sum 38½ lakhs may be said to have been paid for by the returns to that extent received from China by the middle of June, leaving only a capital of 114 still engaged in Opium, or say 120 lakhs including the chests paid for and remaining in the godowns. This year the quantity shipped up to the 1st of August, though very much less, namely, 8310 chests, having cost about 1600 rupees upon an average, has absorbed 133 lakhs and no returns are yet received, there being even still a considerable quantity of last year's Opium unsold at Lintin. But we are informed the sum actually paid up for *cleared* Opium, a large portion of which remains in godown, is 158 lakhs, besides a deposit of 30 per cent. paid upon uncleared lots to the extent of about one crore. So that the capital thus invested, *in a time of comparative embarrassment in other trades*, is about 181 lakhs, 61 lakhs more than last year! with 70 lakhs remaining to be paid up!

When it is considered also, that from Malwa nearly 20,000 chests of Opium have this year gone to Bombay and about 4,000 to Demaun (nearly all shipped off), and that Malwa is expected to supply full 24,000 chests next season, according to the most recent accounts, the perspective is really appalling to those who purchased heavily this year at the Calcutta sales.—*Calcutta Courier, Aug. 5.*

To the Editor of the Calcutta Courier.

DEAR SIR,—It is painful to see an individual of the *Hurkaru's* age and respectability still floundering about so doloroously in the matter of the Opium question. Pray put him right, but with that delicacy due to age and honorable poverty.

"Though old he's stout, and honest though in rags."

In reply to certain observations in the course of last night, this worthy incarnation of a fragment of public opinion,—beautiful as Krishna, the Idol of the women,—says—

"The great argument advanced in favor of the rescission is, that the loss on these contracts is not occasioned by any ordinary fluctuations or other contingencies of trade, but a sudden, unexpected, and despotic act, of a foreign power, which closes a foreign market. Now in the first place, this is deficient, as regards the last opium sale, in the grand and indispensable requisite of truth. It was just as well known how the matter of prohibition stood *then*, when these parties were so eager to buy, as *now*, when they supplicate to be released from their bargain."

Now this is a flounder of very considerable magnitude. The Opium dealers do *not* supplicate to be released from their purchases at the last Opium sale, but to have some relief with respect to the three first when the biddings were made under a delusion created and fostered by the fox-like proceedings of that old dragon the Chinese Government.

That the parties were *not* so eager to buy at the June Sale, is sufficiently evident from the prices as compared with those of the three first sales. The *Hurkaru* has of course consulted the record of prices before pronouncing that the parties were as eager to buy after the acts of the Chinese Government were known as before they were known. If that excellent paper has consulted the prices of the several sales, it has done so to very little purpose. It he, she, or it (I never know the gender of a newspaper) has not consulted them, the sooner he, she, or it does so the better.

But there is another flounder, to which I think the *Hurkaru's* attention should, in the most delicate manner in the world, be called. She says—

"The instance the *Courier* puts is a most unhappy one for his argument. He says that we recommended relief to the zemindars; to be sure we did, they did not gamble with the elements. But does not the *Courier* perceive how grossly inconsistent it would be in a Government to incur great loss in order to relieve from the consequences of their own folly and avarice, a set of speculators, when it refused relief to its own tenants, or subjects, whichever they choose to call them?"

Now, to my mind, gambling with the elements was exactly what the Zemindars *did* do. They agreed to pay a certain unvarying annual rent or tax for ever, rain or no rain, drought or no drought, inundation or no inundation. They played at bowls with the sun and moon, as Bayes hath it, and if they sometimes lost, yet I fancy, they were pretty considerable winners in the long run. Still they gambled with the elements, and this was the condition on which they played the great game of "Beggar my Neighbour" with Government. But I must be permitt[illegible] ot analogy between their case, and that of the Opium speculators; unless it can be proved that the acts of a

foreign power prevented them from making good their engagements with the British Government. If the Burmese had ravaged the 24-Pergunnahs with fire and sword in 1825, much question whether for that year the Government would have made no abatement in its demands upon the zemindars. But flounder the third is the worst of all. It is a positive dive with snort, splash, fizgig and whirlpool. How does the *Hurkaru* reconcile her present line of argument with her advocacy of relief being accorded by Government to the Commercial Leviathans of old—who were embarrassed by no son of Heaven? Who were obfuscated by no Chinese Dragon! Alas! alas!

"Hearts are not flint, and flint is rent"—

and this kraken of flounders in the old *Hurkaru* draws tears even from the eyes of

SILEX.

Calcutta, 5th August 1837.

The daily papers have been occupied during the past week, in discussions relating to various local subjects, one of the most important of which arises out of the application made to Government, by the purchasers at the last Opium sale, to be relieved from their bargain. It is rumoured, that the Government intend to comply with this extraordinary request; and if so we cannot but think that it will act, not only inconsistently with itself, and the general course of its practice, but inconsistently with those sound principles of administrative Government, which alone should form the rule of action by which a statesman should be guided. A member of Government, is, if we may be allowed the comparison, placed in respect of such occasions, in a situation very similar to a member of the public press; however much he may regret the losses of a mercantile friend, he is not at liberty, to permit his private feelings to influence his view of a great public question. We will not say that occasions may not happen, wherein it may be expedient, or necessary for a Government to exercise a dispensing power, and cancel an agreement with itself which would become ruinous to the party contracting with it; but such occasions must be of very peculiar character; the circumstances of the case must be very much in favor of the applicant for relief; and he must come into the Council-Chamber with perfectly clean hands. The question then is, is the present an occasion that falls within this description? The *onus* of proving that it is, of course lies upon the party seeking release from his engagement; and what have the advocates for the relief alleged in favor of such an act of beneficence on the part of the Government? All that they say is that the stoppage of the sale of Opium in China, is no common, or ordinary casualty of commerce; no contingency which could or ought to have been taken into the consideration of the purchasers, as one of the ordinary risks of trade; it was, they allege, a sudden, unexpected and entirely unforseen occurrence, arising out of the caprice and tyranny of a foreign despot, against which the traders with China had no means of protecting themselves. Whatever be the weight of this argument in cases where it were applicable, unfortunately it does not bear in the least on the present case, owing to the simple fact that the purchasers of Opium at the last Government sale, were just as well aware of the state of affairs in China, relative to the Opium trade, as they are at this moment. We remarked on the occasion of the last Opium sale, when the streets in the neighbourhood of the Exchange were absolutely blocked up with the carriages of the eager competitors for purchases, that it seemed as though they had "eaten of the insane root," or at least swallowed some large quantity of the oblivious drug they were contending for; and it would seem that although we were sneered at for so saying by the *Englishman*, we were on very good grounds for our observation. In the face of the Chinese interdiction, an interdiction which had indeed existed at the time of the preceding sale; in the face of a total stagnation of the trade; and with the knowledge of the consequent low prices in China, these bold speculators choose to run up prices to an exorbitant pitch, and when they come to cool upon it, they set about begging and entreating the Government to depart from its customary mode of doing business, and to throw up a good bargain on the ground that they had acted very foolishly. —*Herald, Aug.* 6.

Our alleged flounderings in the matter of Opium, have procured some very market attention from a person sadly afflicted with a scribbling cacoethes, and who calls himself SILEX: on Friday he was most ponderously facetious in the *Englishman* and on Saturday he hangs out in the *Courier* in rather happier style. We are naturally curious about the identity of so industrious a personage.

NOW SILEX means FLINT and FLINT means a tailor—see the history of the wars of the two Factions the FLINTS and the DUNS in Guicciardini, and Richard Peake's histories. The cheval de bataille of a tailor is a goose, and to give the lie to the proverb, that a tailor's goose can never fly, behold SILEX, the tailor, mounted on a goose for his pegasus, has flitted from the *Englishman*, and plumped down on that goose's common, the space in the *Courier* assigned to its talented and numerous correspondents. We congratulate SILEX on his new locality, in which we leave him to rejoice in the laurels which he has gained by his able and judicious defence of the conduct of the great Government opium monopolist towards its great opium dealers and speculators. The question is one after all of very narrow compass and affecting the interest of a very small, but at the same time *influential* portion of the community. Government will probably concede to the prayer of their petition. Consulting expediency, and its own imagined interests, Government will exhibit itself kindly

considerate and magnanimously generous, and having a wary eye to its own advantage, both as regards the present and the future, it will not insist on the performance of contracts already made, at the risk of finding no purchasers for opium at future sales, and in so doing will, we believe, comply with the wishes, and accede to the views developed by the petitioners. With our usual honesty, which in these degenerate days is called want of tact, we ventured to insinuate, in the most delicate and pleasant way that occurred to us, that as long as opium was a marketable drug, so long would it find purchasers; and without wishing to ruin any man or set of men, we also ventured to state that the opium speculators had no better case, than any other set of speculators, whose calculations had been defeated by adventitious circumstances, and that whatever might be the course suggested by *expediency*, in point of principle, the opium purchasers *had no case*, whereupon is set up the long howl of SILEX, mother Goose and Co.: and the gentle *Courier*, most discreetly valiant, interposes his shield of blotting paper to protect the interests of the *Influential* few, against the chance of the Government monopolist, working out a principle, instead of conceeding to the exigencies of expediency. The *Courier* in so doing is wise and discreet withal. But we nevertheless never said that because Government refused relief to the Zemindars, therefore they ought to refuse it to the opium merchants, or that because one judgment was wrong all others ought to be so for consistency. This pretty piece of logic, which is put into our mouths by the *Courier*, is vastly creditable to his ingenuity no doubt, only we happened to say nothing of the sort. Our observations went simply to this. The Government laughed at the petition of the Zemindars, because they thought it their interest so to do; they treated the Army after the same fashion, from a similar motive; and they now change their conduct in the instance in question (supposing the change to take place) because it is their supposed interest so to do, i. e. because the influential class of persons, whose interests are affected, have had the skill, or the power, or the good fortune, to convince Government, that the course of expediency and generosity, is the best course to realize the most revenue from the opium Thus shewing as clearly as possible, that Government is most consistently inconsistent; only we also add that it is apparently better to be a capitalist speculating in opium, than an *inundation* Zemindar, or a regiment at a half-batta station, a proposition which no body *can* deny.

However, our correspondent, DIAMOND, has so pounded, so thoroughly mac-adamised both the jokes of SANCHO and the lamentations of our "Quixotic cotemporary," that we have really gone out of our way to notice the stuff, (in a Pickwickian sense of course,) of the Saturday's leader, or the deadly lively contribution of his squire. But there are a few facts, taken from Quixote's own admissions, which prove the absurdity of the speculations he is endeavouring to protect, and the accuracy of DIAMOND's strictures.

In 1836, he says, about 12,000 chests of opium were sold at an average of 1,300 rs. the returns for a portion of which have not yet been received. Then why did speculators offer 1,500 a 1,600 rs. where 17,000 chests were declared for sale here; and from 18 to 20,000 chests expected from Malwa, and when it was known the consumption in China had never exceeded 22,000 chests at the very utmost. In fact, the Malwa opium has been as staunch a friend to the principles of free trade as the French and English smugglers of silk and spirits have proved at home; and for the Government or its pet purchasers to expect to keep up monopoly prices, is idle and visionary.

We challenge SILEX to the production of any official document addressed to the English factory, intimating an intention to legalize the admission of opium on payment of a duty; and until he does produce such a document, the dragon, and his tail, and his claws," are "*vox et præterea nihil.*" In truth, we conceeded much more than was necessary in limiting the knowledge of the state of affairs in China to the last sale. It was clear as the sun at noon-day, that nothing was settled in December, and half the edicts ushered into existence with flourish of trumpet and drum, turned out to be forgeries.—*Hurkaru, Aug. 7.*

The *Hurkaru*, and its tail, the *Bengal Herald*, and its correspondent DIAMOND, we may fairly consider as one champion, *tria juncta in uno*—we say nothing about their identity. They (which of them it matters not) defend the aid given by Government to certain agency houses of old, not because the said agency houses were not brought into distress by their own acts, but because Government lost nothing by it in the end—a very pretty argument indeed! yet when it is argued that an act of liberality towards the Opium merchants will but be a nominal sacrifice, that argument is met by the necessity of upholding a principle! They admit that occasions may happen

"Wherein it may be expedient or necessary for a Government to exercise a dispensing power and cancel an agreement with itself which would become ruinous to the party contracting with it; but such occasions must be of a very peculiar character; the circumstances of the case must be very much in favor of the applicant for relief; and he must come into the Council Chamber with perfectly clear hands."

The case of the present applicants will bear all these tests: it is peculiar; it is one so much in favor of the applicants, as to involve the interest of the Government too on their side; the applicants appear with perfectly clean hands. Its importance too, in respect to the magnitude of the interests involved, entitles it to special consideration, upon the same

principle in that particular, as the case of the old Calcutta agency houses when they asked for relief and received it, and the case of the great American houses in London, when the appealed to the Bank of England with equ success. In all these cases the prayer of th petitioners has been a confession of imprudence; but in none of them, except in this of the Opium merchants, has there been als the strong plea, that the party petitioned is only asked to give back the overplus of his bargain, in which alone the imprudence consisted. To say that people should suffer by their own folly is a fair abstract principle; but that the Government should chuckle at the follies of its own people, and glory in having fleeced the community by selling its goods for more than they are worth, is rather a new principle in political economy, which perhaps might find admirers in Persia, but surely not in an admirer of the Jacksonian tenderness for the interests of the contributors of revenue rather than of the revenue itself.

But, says our Cerberus opponent, the petitioners were a set of fools, their plea all moonshine, that they were deceived by an expectation at the beginning of the season that the Opium trade would be legalized in China. A minister did urge the measure very strongly and a commission of enquiry was appointed in consequence; but there was no official intimation that the thing was actually done. What would they say at the London Stock Exchange of such reasoning as this, where every whisper moves the market? Peace was not made at the Battle of Waterloo, but consols did not wait the consummation of the victory. So the Chinese Minister's report raised the price of Opium 150 to 200 Dollars at Canton, and could any one suppose prices would rule here at the former standard in the face of that rise? Slowly and unwillingly the 'delusive hope has been abandoned as the season advanced, and when the Juno sale took place, it was but feebly entertained by the most sanguine. But then another motive was in action to support prices here. The numerous bazar buyers at the three first sales were so deeply in for it, that they conceived their only *chance* of salvation was to bid up the sale, intending all the while not to pay a rupee for the lots they nominally bought, but merely to keep the regular trader from undorselling them here or in China as long as they could. This truly was gambling; but it was not the conduct of the bonâ fide and even with respect to those merchants who played it, the game was excusable under the circumstances in which they were placed, and warranted too by former examples of relief when found a losing game, as we shall shew to-morrow.—*Calcutta Courier, August 7.*

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—The facetiousness of SILEX and the lachrymosity of the Editor of the "*Courier*"—the Sancho and the Quixote of the opium speculators, have experienced but sorry treatment at your hands; and they ought to consider themselves "ill-used gentlemen" at your unceremonious dismissal of their figures of speech and figures of calculation. I will relieve them from the mortification of neglect being in a benevolent mood, and will endeavour to test the value of the one by facts, and the other by the touchstone of our old friend Cocker.

SILEX after asserting that the rumours you alluded to *quoad* the petition to government from the opium purchasers, were incorrect, but wisely *shirking* all proof thereof, although the petition was probably under his nose at the time, proceeds to admit that "if the Bengal Government was the sole dealer in silk and indigo, produced in Bengal—if silk and indigo could only be carried to England for sale and there was no market for it elsewhere—if Government sold Silk and Indigo for that purpose—if on the arrival of Silk and Indigo in England they found not merely a "bad market," but a sudden act of the King, Lords and Commons, which made it merely impossible to land the articles in any part of Great Britain and Ireland—if that act of the King, Lords and Commons had been preceded by a honied declaration from lots of ministers and influential members of the houses, that so far from prohibiting the import of Silk and Indigo, it was very desirable the duties on these articles should be lowered; then, I say, the Government of Bengal would act wisely and honestly to step in and save those who had dealt with it for Silk and Indigo from ruinous loss. "Now this is very pretty writing; but it is all romance. There is no more analogy between such supposed condition of the Silk and Indigo trade, and the actual opium trade, than there is between a horse-chesnut and a chesnut-horse. When did the China "King, Lords and Commons," ever admit opium? When did they intimate any intention to admit it? When for the last "forty years" has the trade been other than contraband, more or less susceptible of evasion according to the varying characters and corruptibleness of the Viceroys? In the newspaper, and the private letters from Canton, received in Calcutta before the first sale of the season, it was stated that no official declaration had been received by English Factory to put the trade on a different footing, and all that the speculators could rely upon as authorizing any expectation of the kind, was a report to the Emperor, on the state of the trade, and its effects on the country, interlarded with such "honied" epithets, as "iron-headed old rat and obstinate old dog." It is true, that report recommended the substitution of an import duty in place of the prohibitory system; but what man of sense would have at once jumped to the conclusion that the report would be approved of at Pekin, or have attached any weight to the thousand and one rumours circulating by the gossips of the hongs? or have regulated his purchases on the faith of such airy nothings. SILEX would have the "greenhorns" to believe the "Chinese Dragon" had been but a "sucking dove" during our "forty years" intercourse; and that 1837 was the first year "he came down with a fell swoop, tears, nails,

tail, sting and carcase on the opium market." Here again his imagination is more fertile than his memory is retentive If he will have the goodness to refer to "extract letter in the Secret Department from the Select Committee at Canton, to the Secret Committee of the Court of Directors, dated 21st of November, 1821," to ditto, ditto, ditto, dated 27th of July, 1823, to ditto, ditto, ditto 6th of February, 1824, he will find "teeth nails, tail, sting, and carcase in pretty considerable activity, as Jonathan would say, in those days. But in point of fact, the "fell swoop" is rhodomontade. Sales of Malwa Opium are reported to a large extent, interrupted occasionally by disputes, between not the "Dragon" and the "Rat" but between the Admiral and Viceroy, in respect of their shares of the smuggling bribe; and Bengal Opium would sell also, if holders would or could afford to sell at reduced prices.

It is this view of the case that makes Captain Pinch of the——Regiment, twirl his mustachios, when he thinks of ten years of his half-batta clippings being coily turned into the pockets of "his faithful friends," who, had they come forward "*in forma pauperis*" would have received his utmost sympathy; but he knows as well as you and I do, that they are "sturdy beggars" with backs as broad as the Hooghly and as strong as its spring tides in August. He sighs, therefore, over his unpatronised and pillaged lot and hums over his "Chinsurah" cheroot, (a 1000 for a rupee.)

> "It is a very good thing to be brother-in-law,
> To a very magnificent three-tailed Bashaw."

SILEX, however, is fearful Pinch will get no pay at all next year, if the Government do not refund, or make good the losess of the Opium purchasers; for "unless we give them back the money, they will have none to buy opium with in future; and then what becomes of the revenue?" This is certainly a bright idea. In order to get purchasers at a monopoly price, we must shell out the money ourselves, in other words the Government must buy its own Opium with its own funds. But how long is this flourishing trade to continue? Unquestionably the new house of Figginson, Buggisson, Tickleman and Crodry will be wise to keep their four thousand rupees in their breeches' pocket as tight as Mr. Cohen kept his deposit money, until the competition between the right hand and the left hand cease; and ultimately I venture to guess the "financial Secretary" will be better pleased to see Figginson's coin coming into his coffers, than his own "passing backward and forward; and were it *hoptional*," not to part at all with the latter, "fast bird fast find" suiting this taste, or, as SILEX says, "a hundred and one birds in the hand being worth a hundred and two at Linton." SILEX's process of fructification will not give a chance to "Pinch" of smoking bananas.

SILEX goes on, and chuckels at having put in a regular floorer. "How (speaking of you, Mr. Editor,) do you know 9,000 chests have been sold and 8,000 unsold," and if you don't know, you ought to know, you know, you know, you know; and hereby know, that the whole investment has been sold. That, upon all which has been cleared, the revenue has been paid and upon all which has not been cleared except 900 chests, the Board of Opium are known to hold deposits of 30 per cent. on the sale price or more than 25 lacs of rupees. But this is "*petitio principii*" with a vengeance. The whole argument turns upon not what has been nominally sold, but what has been really paid for; and if the Government refund, as it is asserted they will, the deposit of 30 per cent upon the uncleared lots, then you are not wrong, Mr. Editor, in calling things by their right names, and dividing the supply of the year, in round numbers, into 9,000 sold and 8,000 unsold chests. Nor is your position affected by the future fate of the 8.000 chests. Whether be brunt or be thrown upon the next year's sales, the effect upon the revenue will be much the same. SILEX may improve his financial talents by working the difference between the proceeds of 17,000 chests at 1,000 rupees and 25,000 chests at 700 rupees per chest, which latter rate will be as much as Figginson and Co. or SILEX himself will deem it prudent to offer, with the contingency of 25,000 more chests going from Malwa. *Au reste*, I am clearly of opinion, if the Government refund the 30 per cent. on the uncleared lots, purchasers who have cleared and shipped will be entitled to an equvalent remission, and then were are we to look for the "over-grown revenue" So much for Sancho, now for the Quixote of the *Courier*, who quarrels with your figured statement.

1st. He is against refunding more than 22 lakhs, but what is "sauce for the goose is sauce for the gandar," and I adhere to the remission of 45 lakhs to those who have cleared and shipped. Their's is an *a priori* case in the scale of claim. If Mr. Cohen, who deposited "nil," escapes, if Muddlebrains and Co. who deposited 30 per cent, are permitted to receive it back, surely there is no shadow of ground for refusing those unlucky wights who completed all their engagements to the Board, according to Quixote's own doctrine. "Would you," says he, "deal rigorously with the men of substance and let off the man of straw?"

2ndly. He cavils with your average sale price of 1,500 rupees and asserts it is about 1,600 rupees per chest. I find the quantity sold at the 8 first sales to be as near as possible 11,850 chests and the proceeds in round numbers 1,84,00,000 rupees, giving an average of about 1552 per chest, but as it does not appear that more than 9,000 chests were cleared and shipped, and as there was a large proportion of Benares, you may stick to your inference of 1,500 rupees being about the average price.

3rdly. The *Courier* says, "they don't intend to ask for 600 rupees per chest," to which I reply, that they are, in a Pickwickian sense,

very soft in not asking for whatever they can get. I find no fault with the "asking."

4thly. The estimate you have given of the cost of a chest of Opium to Government, is borne out by the following extract of a letter in the Secret Department, from the Court of Directors, dated 11th of July 1837, Par. 42: "It appears also that in Behar and Benares your opium is produced at 300 rupees per chest, or perhaps less." Now if you add proportion of the expenses of the Board fairly chargeable to opium and the salaries of Agents and Deputy-Agents, the cost, I should place at "perhaps something" more than 300 rupees per chest.

I think I have disposed of his objections to your figured statements. His arguments on the general principal may be as easily turned. Where is the resemblance between a loan to Commercial Houses, secured on real property for beyond its amount, of which every rupee was repaid, principal and interest, and a gift for such is the character of the proposed refund? In the one case the state loses nothing, in the other, all. Where is the anology between the Zimidars of the 24-Pergunnahs, "*adscripti glebæ*" as it were, and unavoidably exposed to the vicissitudes of seasons, and voluntary speculators, who run a "*muck*" on the most shadowy ground in an article of most capricious and uncertain tendency? The one suffered from causes beyond their control; the other, with their eyes open, from causes in constant operation, and which they could have calculated as closely as Messrs Figginson and Co. did, and who kept their 4,000 rupees in their pockets.

As to the value of the opium in the godowns, I guess, the *Courier's* estimate is above what it would bring at a *bona fide* sale, unbolstered by the sub-monopoly system, which, like it brother of the Salt department, seems likely to end in much the same manner, affording another illustration of the enlightened views which guided our Indian economists in fostering these now notorious failures.

I am, Sir, yours obediently,

Hurk. Aug. 7.] DIAMOND.

TO THE EDITOR OF THE BENGAL HURKARU.

A writer who rejoices to utter nonsense and balderdash through the columns of the *Courier* and *Englishman*, under the signature of SILEX, says that the opium dealers do not supplicate to be released from their purchases at the last opium sale. It may be so; but why, I would ask, do not the dealers in the drug publish their petition? we should not then fall into mistakes about what they do ask for. For my part, I cannot consent to take the word of SILEX upon that point.

However, SILEX says, that the poor Zemindars to whose case you adverted, *did* gamble with the elements. "They played at bowls with the sun and moon", and let us see how SILEX proves his own assertion. "They agreed to pay a certain unvarying rent or tax 'for ever, rain or no rain, drought or no drought, inundation or no inundation.'" That is, they took the average produce of a number of years and adjusted the rent thereby; and this is the first time I have ever met with the assertion that striking an average is gambling. According to SILEX, a man who takes a farm for 14 years and agrees to pay rent according to the average of 14 previous years, "plays at bowls with the sun and moon." Calculating upon an average crop, is gambling with the elements. This, which the *Courier* calls "pushing an example well home," I call nonsense.

The Zemindars were the Company's tenants who had sustained loss in consequence of the act of God; the opium speculators sustained loss in consequence of their own folly; the former Government refuse to relieve; the latter we are told they will relieve. This, I apprehend, is clearly reversing principles.

Yours obediently,

August 6, 1837. MACADAM.

[*Ibid.*

Our remarks on the Opium petition brought us so many letters, we could easily see that the subject interested a large class of our readers. We intended to have returned to it, but were deterred by observing the bitter spirit with which it was treated in the columns of a contemporary journal. Our notions on these matters are, to argue principles and to spare individuals, in all such cases, unless any person is so brought before the public that it becomes the duty of a journalist to animadvert upon his proceedings. There was nothing in the circumstances relative to the present petition that could call for harsh or malicious allusions. The dealers, smarting under their losses, naturally enough applied to the only quarter from which they could derive assistance. We do not happen to agree with those who think that the revenue will be benefitted either proximately or remotely by giving back to the purchasers some twenty-two or three lakhs of rupees, but that opinion might be expressed without threatening the local Government with the displeasure of the Court of Directors, or shewing the most intense desire to intercept the stream of liberality which the petitioners are anxiously expecting. We were at no loss to divine the source of the bitter feeling which animates the *Hurkaru's* leaders on this subject, as it has done for the last six months upon all commercial subjects where Calcutta interests could be damaged by its remarks. There is an old fable of the fox who had lost his tail and who tried to persuade all other foxes to come into the fashion of docks. Our fox is not contented with persuasion, but is trying to chop off tails, wherever he can hit them, forgetting, we opine, that some of his neighbours have teeth as well tails. We should not, however, have made any further remarks upon the subject, had we not observed in yesterday's *Hurkaru*, insinuations

too plain to be mistaken, that the Board of Opium were guided in their decision on the petition by influential individuals, or in other words, that they were induced to commit a breach of their public duty by some motive which may be guessed at. We think this is a style of attack which ought to be put down, and though the members of the Board will undoubtedly despise it, it is not the less reprehensible, because the writer must either know that his charge is utterly unfounded, or he must know nothing of the subject that he has undertaken to write upon. We believe that the Board in their recommendation, have acted upon the most complete and unbiassed conviction that they were consulting the interests of the revenue, and though we may not quite agree in their views, we should as soon have thought of charging them with a traitorious conspiracy to blow up Government House on a ball night, as of attributing to them sinister or sordid motives in their decision. Neither do we believe that the writer who rejoices in the harmonious *nom de guerre* of *Muggins* has any serious belief in the atrocious accusations which he insinuates. He is like a boy throwing stones in a crowd, pretty sure that he will do a mischief to somebody. The warning once given to a similar offender might perhaps be repeated with effect on this occasion "take care that you do not hit your father." More may be hit than those the stone is thrown at, but the spirit of mischief cares not, so that somebody goes off limping. We could speak plainer, but we might only give currency to accusations which, if neglected, will soon leave no other impression than that of the impotent malice of their author and the egregious folly of their publisher.—*Englishman, Aug.* 9.

The *Herald* says, that if the Government should grant the request of the Opium merchants, "it will act inconsist with itself and the general course of its practice." To meet this assertion, we might instance the concessions made in 1827, when twelve lakhs of rupees were refunded upon Opium sold without guarantee upon musters as well as *qualified* certificates exhibited, but *part* of it found to be really bad and therefore *all* depreciated by the Chinese. Government did right in acting liberally in the case; but their liberality was no more than justice, and a precedent. We will, however, take a view of their "*practice*" in another department under the same Board, the other great Monopoly—SALT. Here is an article of home consumption only, as well as of domestic production. No Chinese edicts, no foreign politics interfere with either the supply or the demand. Well: like the Opium, Salt, till the beginning of last year, was sold to the highest bidder at periodical sales, and those were held once a month. The quantity put up was fixed once a year, and regulated by a fixed standard of consumption—even the seasons had no influence upon the quantity put up. There was no excuse for over-trading. But what does experience tell us? Competition notwithstanding, was carried to such extent, that at short intervals of years there was sure to be a break down in the *trade*. Petitions went up to Government confessing ruin and begging for some relief. Did the Government "*consistently* with itself and the general course of its practice" deny relief? Far from it. In July 1822 Government gave up one rupee per maund upon all the Salt of the two preceding sales, allowing the buyers the option of forfeiting one rupee per maund to cancel their bargains—of which option Ramratton Mullick, the sub-monopolist, whose speculations had done all the mischief and who individually deserved no favor, took advantage by paying down eleven lakhs forfeit at once. But two years afterwards, namely, in 1824, Government again yielded to the prayers of the Salt merchants, and gave them back eight annas per maund. Again, in 1827, a similar concession of eight annas was made, and another, in 1833. Are these broad facts already forgotten? or is it desired to keep them from the knowledge and out of view of the present Governor-General? Let the *Hurkaru* look back to its editorials of those days—they breathe no anxiety to deter the Government from interfering. On the last occasion the *Hurkaru* spoke of the indulgence asked, as "*only* a remission of eight annas a maund." Those eight anna remissions cost Government *only* some eight or ten lakhs on each occasion. Consistency is praise-worthy in a newspaper'—the "leader of public opinion"—as well as in the changing government of a nation.—*Calcutta Courier, August* 9.

The *Englishman* the other day, consulting his own practice, accused us of having taken advantage of the index to Adam Smith's work, to enable us to find a passage applicable to the question of whether tolls are taxes or no; to-day we will supply him with a quotation from that work, which he probably will find not less applicable to its object, than the passage we last cited; and although the index will never help him to discover it in Adam Smith, it may be found, and we doubt not that some good natured friend will enable the *Englishman* to verify our quotation, to his complete satisfaction and perfect gratification.

"A puppy fawns upon its dam, and a spaniel endeavours by a thousand attractions to engage the attention of its master who is at dinner, when it wants to be fed by him. Man sometimes uses the same art with his brethren, and when he has no other means of engaging them to act according to his inclinations, endeavours by every servile and fawning attention to obtain their good will."

That Adam Smith is correct in this remark, will not, we think, be disputed, and, indeed, it is admirably illustrated by the manner in which the *Englishman* argues the Opium question. Longing to adopt the opposit side of the argument to our own, to please our party; commanded to adopt our line of argument by those he dare not disobey, he

exhibits the ludicrouse dilemma of Adam Smith's spaniel, between two masters, who in he is equally desirous of pleasing, and equally fearful of offending, and who each bid him go to opposit corners. In this cleft stick, we have the *Englishman*, wriggling and writhing. and the only method he can hit upon, in his agonies, is to say nothing on the argument. and to pour out a torrent of scrilous abuse of ourselves. Heaven help the poor animal, his barking and snarling can harm no body. and may afford him some relief, so if it suit the taste of his readers, let him give them *quantum suff* of his foul language.

But the *Courier*, standing alone,—(for SILEX has fairly shown a clear pair of heels, and run away from the fight) the *Courier*, calls ou position, that relief to the agency houses differed from relief to the Opium speculators because Government lost nothing by the forme in the end, "a very pretty agument indeed;" and upon this point we perfectly agree with our contemporary, and glad are we to take leave of the *Courier* on such good terms.

But we may indulge in a laugh at the expense of the "*Englishman*" whose situatio is really pitiable. He has had, it seems, man letters on the opium questions, by which h logically enough infers, "it is matter of interes to a large class of his readers;" but he has no returned to it, because "he has observed the bitter spirit with which it has been treated by a contemporary journal."

"Our notions on these matters are," he says, 'to argue principles and to spare individuals, in all such cases, unless any person is so brought before the public that it becomes the duty of a journalist to animadvert upon his proceedings." Apply these "notions" to the case in question. Are public sales of Opium, on certain conditions, announced by the authorised officers of Government, matters of public import or not? If among those conditions there is one stipulating for a deposit of 10 per cent. on each lot when knocked down; and it subsequently turns out that no deposit was made, and that the registered purchaser snaps his fingers at those whose duty it was to have seen it paid, we beg to ask, if such neglect or fraud is to be passed over, *'sub silentio*, by a journalist because his remarks may possibly touch functionaries of high degree and influence? The management of the Opium sales is from first to last a matter of public concern, and as such we shall continue to treat it, whether "SILEX" or softer materials wince or not under our observations, if the duties they are so lavishly paid to perform, be, in our opinion, satisfactorily discharged. We repeat too, that the sufferers by the half-batta orders did not meet, from some cause or other, the sympathies of Boards and Secretaries; but that consideration will not deter us at all events from the advocacy of their claims in preference to those of Opium speculators.

But, says our "Free Press" contemporary, "this style of attack ought to be put down." Yes, and if it could be put down,—if the acts of public men were not amenable to public opinion,—we should have little chance of ever obtaining redress for the wrongs inflicted by power; and among those wrongs we hold and have ever held the half-batta order to be the first and foremost in this country. Our contemporary, however, the Editor of the *Military Chronicle*, sees in the refund of some 22 lakhs according to one rumour and 45 lakhs according to another, nothing but a doubt "whether the revenue will be benefitted proximately or remotely," and is silent on the more important point, whether if there be funds to spare, justice to the army ought not to precede generosity to the Opium purchasers. But our candid, temperate, sweet (as opposed to bitter) friend, is in a dilemma. He has subscribers and supporters on both sides of the question, and reckless of principles and indifferent to truth himself, his ludicrous difficulty is how to pick his way through the conflicting interests with the least chance of injury to his pocket. Hence his wary and hesitating steps, as if on a pilgrimage to Mecca with peas in his shoes, or walking among eggs, where the cracking of a shell may spoil a chicken."

As to his allusions on our treatment of commercial affairs generally, he will find, if we are not much mistaken, that his own injudicious metaphors of "bladders and bunds" on a former occasion, and his present *quasi* patronage "of the stream of liberality," have caused he only damage; for the whole tone and tenor of *our* arguments, both on the Company's advances and on the petition of the Opium speculators has been the high and healthy state of the mercantile system generally, which in our opinion did not require or authorise any adventitious support of the kind.

The Fox, be he who he may, with a tail or without one, is quite inapplicable, therefore, to the discussions; and as for teeth, our "friend" shall find, on fitting occasion, our bite something worse than our bark. Our correspondent, MUGGINS, can fight his own battles; and we give no opinion on his letter; but what says our cotemporary on the remarks leveled at the Chief Justice in his extract from the *Agra Ukhbar* yesterday?—*Hurkaru, August* 16.

Whenever the *Hurkaru* is driven into a corner, he complains of foul language. He says that we have poured out "a torrent of scurrilous abuse" of him in our remarks upon his mode of treating the Opium petition. We refer it to impartial readers to decide on which side there has been either the use or abuse of foul language. Who has parodied the name of a respectable native merchant with such a term as *Rogue-or-not-chent?* Who has accused public officers of bribery, and the purchasers of a conspiracy to defraud the revenue? Not the *Englishman* certainly. If this be scurrility our contemporary must look for it in his own columns,—in those columns where the names of ladies are no more spared than those of public servants or merchants.

And in support of this, the grand style of controversy, the *Hurkaru* is disposed to bully and cry "put it down if you can." We say, the public can, and will put it down, by shewing their extreme contempt for the journal which adopts it. It is not by lamenting the fate of the "*poor army*" that the *Hurkaru* will retard his own. The army are quite capable of appreciating the motive of his sudden sympathy for their neglected state, and will, if it be possible, return him a tenfold portion of their contempt. But the *Hurkaru* is, not satisfied with scurrility; he has recourse to the most pitiable falsehood, in order to remove from himself a little of the odium which he has so justly incurred. He says, the *Englishman* "is commanded to adopt our line of argument by those he dares not disobey." We beg of this unblushing editor to name the parties who commanded us, or at least his authority for the assertion. If he cannot, and we defy him to the proof,—for no living being has any power over the free expression of our thoughts,—he must be contented to remain the foul-mouthed assertor of a groundless calumny. It is but one in addition to the many with which his columns are daily adorned, and it would be hard indeed, when the most inoffensive are wantonly attacked, if we who expose the malice should escape. But the *Hurkaru* is only doing his duty; he cannot pass over the neglect or fraud of a public functionary "of high degree and influence." Then why not speak out at the time?—if he knew the Board of Opium to be guilty of preferences in the sale why not say so? Why not bring forward a complaint on behalf of those who have been injured? Because he knew he had not a charge that he could substantiate. It is very easy to insinuate that a *quid pro quo* has been received, or that certain influential individuals have received especial favors, and this we suppose is doing the duty of a public journalist. When we pointed out the faulty system now in use, urged that it should be amended, and shewed that the strict system was the only just system of managing the public sales, the *Hurkaru* gave us no support; he did not take the smallest notice of the subject; but now, because we reprehend his calumnies, he says that the *Englishman* is afraid to speak out, and that it was commanded to adopt *his* line of argument. *His* line indeed!—he only repeated our own arguments, which we have refrained from reiterating, not from the fear of offending any human being, (for who can be offended with the assertion of abstract principles?) but because every fresh discussion of the subject brings forth a fresh ebullition of spite from our contemporary, which does not hurt us but annoys our neighbours. He threatens that we should find his bite worse than his bark, we have log ago proved the impotence of both when turned upon the *Englishman*.—*Englishman, August* 11.

The *Hurkaru* promises to publish to-morrow another letter from DIAMOND on the Opium question, written "in the same masterly style as before." We shall not wait for this masterly production, but take it up on its own merits when it shall appear.

We have dwelt a good deal upon precedents here, because the *Hurkaru and Co.* insisted that any concession would be a deviation both from practice and from principle. But would the *Hurkaru* refer us to London for patterns of rigid practice and correct principle? In that case of course the Company's tea sales would be referred to as bearing the closest analogy. It must be in the recollection of our contemporary, that a sort of O P row occurred at one of these two or three years ago, and that the Company were obliged to give way to the demands of the *trade*. We have been told indeed that a much better system is followed in London for securing the regular payment of deposits on purchases at all the India house sales, and that it works admirably. It is this. The bidders are all known brokers, and immediately on the conclusion of the sale, which sometimes lasts a whole week, these brokers give in a sealed letter containing the names of the persons for whom they have bought, which letter they are allowed to withdraw with the seal unbroken on making the deposits required for the lot they have engaged; but if they fail to make them, the seals are broken, the principals are applied to and the defaulters are disqualified from bidding again. This is certainly a good system, because the broker will not risk the loss of his qualification by bidding for a man of straw, and there is a double security. But the superiority of the system, in the better security and the greater regularity of the deposits and clearances, does not prevent the Company from giving indulgences occasionally as a general measure, upon pleas certainly less cogent than those which are now urged here in behalf of the Opium Merchants. When the difficulties of the money market became pressing, towards the close of last year, the Court of Directors extended the prompt of certain Silk sales which had taken place, thereby giving the buyers an indulgence of two or three months time. If the *Hurkaru and Co.* should contend, that this was a deviation from a *principle*, they cannot say it was a solitary exception from the *practice* of the Court, nor can they say that the indulgence was called for by any exigency involving the interests of the *sellers* as well as the buyers, which is the case here.

The opponents of concession argue as if it were a small matter for a Government to force the ruin of an important branch of trade and revenue. They see nothing in the present position of the trade, but that the Opium merchants in the mass will only disgorge a portion of their former gains, if made to fulfil their respective contracts, and that every rupee screwed out of them will be so much profit to the state. This is a most limited view of the subject. The effect of the high prices given at the sales of this season, has been a very natural endeavor to keep up prices in China; and the consequence thereof, that but a very small proportion has been sold and no

remittances have been made, while the Malwa drug, purchased very much cheaper at Bombay, has had the command of the China market, and has this year made greater progress than ever towards supplanting the Opium of the Bengal monopoly,—for the taste for Opium may be changed by price or fashion as well as the taste for wine. We are now in the middle of August, fast advancing towards another season, with half the Opium of the past season still in the godowns, and of the other moiety above 7,000 chests by the last accounts remaining at Lintin. Last year almost every chest was shipped off by the 1st October; before the middle of June, remittances from China had been received (we speak of bills on the Treasury and Sycee only) to an amount exceeding 38 lakhs, between that date and the end of August, 19 lakhs more. Now it may be said there have been no remittances at all. Yet the gross amount of the public sales is 60 lakhs more than it was in 1836, and consequently the pressure upon the money market here upwards of a crore in excess of the capital then engaged in the trade. Is all this nothing?—*Calcutta Courier, Aug.* 11.

To the Editor of the Bengal Hurkaru.

Sir,—I am flattered by the *Courier's* compliment at your expense, and should have no objection to wear your skin or stand in your shoes a somewhat longer period than our Opium controversy is likely to last; but, alas! all things pass away, and DIAMOND's temporary honors must soon vanish "like the baseless fabric of a vision and leave not a rack behind."

Before I take up the several points in your evening cotemporaries' editorials of Thesday and yesterday, I may venture to complain of a breach of discipline on the part of his squire, SANCHO alias SILEX, by which I am placed somewhat at disadvantage, for in demolishing the man, I may give life to the master. The Knight expatiates largely on "indulgence," and "liberality," but SANCHO says:

"I give thee six-pence! I'll see thee d——d first."

This is a very pretty quarrel as it stands, but in common fairness to me they should have settled it before they took the field. That I may not be supposed to misrepresent them, I quote the paragraphs.

"If the speculators in opium had raised their bids at the sale-room till they were out of breath and black in the face, and burst the waistbands of their breeches and the buckles of their waistcoats—if they had bid 41,763,241 rupees per lot and had lost it all by the ordinary fluctuations of the Opium market, I imagine that Government would have looked with an amasing grin, such as Governments alone can give, at any petition from the speculators to be relieved from any portion, however small, of their losses." This is the Squire's doctrine, now for the Knight's.

The principle (of affording relief) is a principle of indulgence. The pressure upon the Opium merchant tells the more severely, because it comes upon them at a time when the severe mercantile pressure in England has impelled its tide-wave to all parts of the world." Now, as the speculators are suffering from the ordinary fluctuations of the market, sufficiently proved by the "*Sylph's* advices, which report "large sales of Malwa at remunerating prices" whilst Patna and Benares were from their comparative dearness, almost untouched, I recommend to "*Sancho*," an early purchase of the largest horse-collars in Calcutta, and whether he insinuates his own visage or that of the Governor-General's, I'll back the grin for a thousand against any ever made at Bartholomew Fair by Grimaldi in his proudest hour.

The "*Courier*" quotes the case of the assistance afforded by the Bank of England to the three "W's," as they are called, but here, as in the instance of the old Indian Houses, he totally overlooks the slight fact that ample security was required before a shilling was given. The Governor of the Bank would have been Grimaldi Junior, and made "SANCHO" simper into beauty, if *vis-a-vis*, had any proposition been made, without "the one thing needful," security against loss. But the nex sentence, especially in juxta-position with the aforesaid "grinning" resolutions in regard to appeals "*admiserjcordiam*" is probably as rich a dish as ever was placed under the critical knife. "To say, that people should suffer by their own acts, is a fair abstract principle; but that Government should chuckle at the follies of its own people, and glory in having fleeced the country by selling its goods for more than they are worth, is rather a new principle in political economy, &c" I thought at the time SANCHO's idea of raising revenue by a transfer from the right to the left pocket bright; but this is confessedly brighter. "A country fleeced by selling its goods for more than they are worth." In the name of Adam Smith, "*esto perpetua*" such fleecing, say I, and Captain Pinch, for there will be not a chance but a certainty of double full batta, and our band will resume its almost forgotten tune of "Money in both Pockets," But, alas! I may not indulge in such dreams, for "*cui bono*" to buy for more than you can sell, and unluckily the Government cannot, by an inexcusable omission in the new charter, compel Muddlebrains and Co. to continue "fleeeces." I must, in "Jacksonian tenderness," forbear to press this new principle of buying and selling, and proceed with the visionary and enthusiastic champion of bad bargains.

"What would they say at the London Stock Exchange of such reasoning as this," viz.; that it is prudent to look before you leap. I have an idea that they would vastly approve of it, and so would all who prefered chess to hazard; and had any man become a "Bear" in Consols in 1815 under the impression that the victory of Waterloo would not have led to

peace, he certainly would have waddled out of the alley with as little respect for his understanding, as the lamest duck ever carried away, and all the financial skill in London, even with "SANCHO" as an operator, would never have set his leg again. And yet the Opium purchaser who became a "Bull", because there was a report from one public functionary to another on the state of the trade in China, to which he chooses to attribute a rise of value there, has really less rational ground to go upon than the speculator in war. If any force could be attached to such an argument, how can we reconcile the caution of the Malwa purchasers, who had the same and no better information on the subject than the Calcutta merchants, with the spirit prevailing here? I come now to yesterday's editorial. The instance of the "zemindars" I conclude is given up. Indeed it was monstrous to compare parties occupying their lands from father to son and suffering, not from the effects of an average of ordinary seasons, but from one of those catastrophes, which sometimes occur, an overwhelming irruption of the sea, sweeping crops, cattle, and whole villages before it, with the speculators in question.

A precedent is however attempted to be established by a refund granted, in consequence of the quality of the Opium having been found inferior to the certificate in some chests, by which the Chinese become suspicious of the whole, and the price fell. But really can any man soberly and seriously see a feature of resemblance here. This was nothing more than justice required, and what takes place daily, between buyer and seller, when an article is found unequal to sample. The Chinese trust to the Company's certificate or chop, and being deceived, naturally become shy of the importation of that season, to the injury of the purchaser.

But what wicked demon whispered "Salt" into "Quixote's ear. Why, Sir, I can smother him with paragraphs from the Court of Directors' letters shewing their extreme dissatisfaction with all the various attempts made to bolster up the submonopoly (wedded as they were to the system) by returning money or restricting supply, which was the same thing substantially. I will refer to Appendix IV. on the affairs of the East India Company printed in October 1831. My eye now rests upon this passage :—

Page 63. Par: 25. "In the whole of these proceedings we have been concerned to observe a want of foresight, united with an unfortunate tendency to go from one extreme to another; and we are sorry to add that a derangement of the course of public industry seems to be the only result of a very expensive experiment in the management of purely concerns."

Again, Page 73., Par. 28. "The attempt of the more extensive dealers to create a submonopoly in their own favor, which occasioned the rise of price in 1822, defeated itself with so much loss and so much danger of ruin to the parties concerned, that we think with you there is little hazard of any such purpose being renewed. You are now also upon your guard, and, in case of a repeated attempt, the indulgence which you granted to them will not again be expedient." I repeat the words of the "*Courier*." Are these broad facts already forgotten, or is it desired to keep them from the knowledge and out of the view of the present Governor General." I pause for a reply. But in conclusion, I disavow all hostility to the parties, who have petitioned. I treat the question without fear or favor. I hold the Government responsible for the honest, just and humane appropriation of the funds, it holds in trust for the benefit of the many, if relief to the Opium Speculators comes within these limits, be consistent with those high duties,—in Heaven's name, let them get it.

Calcutta, August 10.

DIAMOND.

[*Hurkaru, August* 12.

The *Hurkaru Price Current*, published this morning, contains the following paragraph :

"It was decided by the Supreme Council on Thursday, that Government should make an allowance of 35 lakhs of rupees, equal to 5 per cent., to the purchasers of Opium for the quantity now remaining in the Warehouse, consisting of about 8,000 chests Behar and Benares, provided the whole will be cleared and shipped immediately, and at the meeting held yesterday at the Opium Board for the relief of the petitioners, three gentlemen were appointed to draw out a plan for the distribution of the fund."

That a Meeting of the principal Opium Merchants did take place at the Board, as stated above, is very true, and that three gentlemen, Mr. Braine, Mr. Charles Lyall and Mr. DeSouza, were invited to draw up a plan of distribution to be submitted to the Board to-day. But we regret to add, the first part of the paragraph goes far beyond any assurance yet given as to the extent of the relief intended. It does indeed appear, that Government has expressed its willingness to give up a sum equal to 15 per cent. upon the sale prices of the Opium now remaining in Calcutta, provided the whole shall be shipped off before an early date; but we are sorry to hear that the suggestion of this boon is coupled with apprehensions of difficulties about dealing with applications from persons who have made shipments; while at the same time an opinion is thrown out that they are not entitled to any thing more than a little pity for the unhappy position of those among them whose Opium may chance to be unsold, as the forcing of the remaining Stock of the season to market at a reduced cost will necessarily overwhelm them with a heavy loss. *If* the principal Opium Merchants will undertake to persuade persons so situated to sit quiet under an act of injustice, and will engage to stop the

mouths of all other claimants for relief, than is Government willing to concede to half their request. This is what we make out to be the present state of the negociation. On the other hand, the consulting triumvirate are very seriously apprehensive that a sufficiency of funds will not be forthcoming to clear out the Opium in store (739 chests of the January sale, 1442 of February, 1699 of March and 1500 of June—8380 chests, exclusive of the 900 chests of cancelled lots) unless a much larger sum than has been asked for is rendered available by reduction of price or in some other shape. In short, nothing seems to have been determined yet, except that it is necessary to do something; and in the mean time of course the Bazar is in the most anxious state of suspense, and actual business of purchase or shipment entirely at a stand still. A party wishing to make a shipment in a vessel now under despatch for China, enquired if the Board would guarantee that he should be placed on the same footing as persons holding back till after the settlement of the relief question, but was told that no guarantee could be given and the shipment consequently does not take place.

All this hesitation on the part of Government, seems to arise from two causes,—one, the fear of a *wig* from the India-house for giving up revenue,—the other, the fear of injuring some interests by the mode of relieving others. The former *ought to be* an idle apprehension in a case where the sum to be given up, according to any plan we have heard of, will leave the net Opium Revenue of the year still much larger than it ever was before—even than it was in 1836, which exceeded every former year by full half a crore of rupees, and when the grounds on which the concession is asked for are taken into consideration. The latter objection is one which practical merchants would not find much difficulty in removing. A similar objection must have suggested itself in every case of concession in the Salt Department, but the *trade* were satisfied with the arrangements made. We will venture to suggest a simple plan which we think would be found to work very well. Give to the buyers at *all* the four sales an *equal* sum per chest in the shape of drawback or abatement, whether they now hold in Calcutta or have shipped their Opium for China; excepting therefrom all past shipments made to the Straits and Java, *quoad* the shippers, and transferring the claim for abatement in such cases to the present bona fide holders within our own possessions, and to those who may have purchased the Opium in the Straits and sent it on to China. Such Opium as should have been sold in the Straits before a certain date to the Cochin Chinese, &c. should not be entitled to the bonus,—*Calcutta Courier, Aug.* 12.

A paragraph in Saturday's number of the *Hurkaru Price Current*, seems to have occasioned no little sensation among parties interested in the Opium question (judging at least from the number of notes addressed to our office): the insertion of the Government's intention to appropriate 35 lakhs of rupees among the sufferers: or, as it is rather confusedly expressed, 15 per cent. on the uncleared lots of 8,000 chests, or there abouts, on which the deposit of 30 per cent. had been paid. Upon enquiry we have ascertained that it was intended that the 15 per cent. should apply to the whole quantity offered for sale this season, 17,000 chests; and we must confess, that opposed as we have been and continue to be, on principle, to any relief being granted, considering the nature of the case itself, and the many prior claims on the justice and liberality of Government, arising generally from the state of the country, its wants of education, roads, canals, bridges, &c., &c., and especially from the severe clippings of the army, which has, or ought to have, the best title to redress; yet if it be determined to grant some relief, it ought to be extended to all the purchasers impartially; and we certainly shall be prepared to argue that any sum set aside for the purpose, ought to be rateably divided among the clearers and uncleaners; or if any be entitled to a preference, the former are. In this point of view the *Courier's* ground of indulgence is more solid than that of expediency advocated by his correspondent SILEX; but neither seem to us worth much. We understand the practical operation of the relief, if the Government be persuaded to grant it, will be in a great measure to save the difference between the amount of advances and the sale proceeds of the Opium to the large Commission Houses, who have been for several years carrying on a most profitable business by coming forward to the actual speculator with a certain proportion of the cost price. This year the margin has been unusually narrowed, from the competition among these houses; and in consequence of the moderately priced Malwa driving the high priced Bengal out of the Chinese market, there is of course a reasonable expectation of the loss swallowing up not only Commission and interest, but the reserved margin and something more; and the real proprietor has been, disposed, we understand, in some instances, to dispute his liability for the balance.

There is a passage in the "memorandum on the salt monopoly," furnished by Mr. Stark to the Board of Control, in which office he has for many years held the situation of head Clerk in the Finance and Revenue Departments, which by changing "salt" for "opium" would apply very felicitously to the present discussion. "The Board of Customs, Salt and Opium ascribed the distressed situation of the salt-merchants, mainly, to an undue spirit of speculation, which induced them to buy, in the first instance, at high prices, and latterly obliged them to continue paying at not much less, in order that cheaper salt might not find its way into markets, where their own remained unsold;—unsold, in consequence of the undesirably high rate at which it had been originally obtained." Stark's Mem.

Probably one of the cleverest things that has been done throughout this opium business,

was the getting up a petition by the influence of the Malwa speculators to postpone the Bengal sale, some time back. Every hour which saw our opium unshipped, was a God-send to them, and well have they profited by it.—*Hurkaru, August* 14.

THROUGH THE EDITOR OF THE BENGAL HURKARU.

DEAR DIAMOND,—Please to let me have your opinion on the following notty points anent Opium.

1st. If the Government fork out 200 rs. a chest with the uncleared Opium with a proviso that the Opium must forthwith be paid for, not the holders push it off to China without will delay?

2d. If so, will not the sudden addition of such a quantity on an already over stocked market, so reduce prices, that the 200 rs. will be absorbed by the fall, and the last condition of said speculators, be worse than the first?

3rd. If so, will it not be better for Government to button their breeches' pockets, and let the multifarious Board (who, by the by, under the new March of Intellect Committee are to teach natives to roast eggs) squabble and fight and threaten the lieges to grill and eat them, unless they stump up the tin, and thus by degrees make some pay and clear and let off others and muddle the whole business up for the next six months, at the end of which time by some *hocus pocus*, according to the ancient received custom of Bengal, the drug will some how or other be got rid of and the money paid.

4th. Is not "hurty no man's cattle" an excellent proverb to be kept in remembrance by the Government and Opium Board? If they had stuck to it, instead of insisting in realizing revenue on Opium and other matters according to modern practice, would not Bengal have been visited by a much cooler season both for man and beast?

5th. If the Government will give the money would it not be a better mode of supporting opium if they order the Board to make a lottery with five large prizes, and give the buyer of each chest of opium a ticket gratis? Five men will then be sure to make their fortunes, and be ready next year to bid away like smoke for opium.

6th. Would it not be still better to make the donation 60 lakhs as follows?

For Opium speculators.....	20 lakhs
For sellers of bills to Government goods last year on which their will be a loss.....	20 lakhs
To the sufferers at half batta stations	20 lakhs
	60 lakhs

Let each division have 5 prizes in the lottery, and I am sanguine that all parties will think the arrangement the most excellent that human wisdom can devise.

I remain, dear Diamond,
Your affectionate cousin,
SWAY.

Ibid.]

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—Your printer has omitted, or I neglected to send, in any letter of the 10th, a paragragh from a letter of the Court of Directors to the then Governor-General in Council, dated the 23rd of February 1831. Page 76. Appendix IV, which I respectfully recommend to the attention of the present. To understand the force of it, I may promise that the Board of Customs, Salt and Opium, had written a most elaborate report on their views, respecting the management of the Salt monopoly, to the local Government, which was transmitted home.

11. "We have offered such observations on the arguments of the Board as we thought might deserve your consideration; but we trust that you will always scrupulously examine for yourselves the reasons which are offered to you by subordinate authorities; knowing that it is your peculiar duty to check the biases to which they may be liable.

If the Noble Lord at the head of the Government should incur the displeasure of the Court of Directors by granting the relief now solicited, he will be unable to plead ignorance of their real opinions and feelings on the Salt transactions, which have been ushered to his notice with some parade by the "*Courier*," as precedents for his guidance on the present occasion.

The sub-monopoly of Opium is, *mutato nomine*, the sub-monopoly of salt.

Upon what grounds the 35 lakhs have been granted, I presume, the "paying public," are not likely to be informed; but now is the time for the Army to agitate for the repeal of the half-batta order, and for the landed proprietors, whose Estates are jeopardised by the resumption laws, to pour in their protests. Fair play is a jewel, say I.

Your obedient servant,
DIAMOND.

14*th August*, 1837. [*Ibid.*

We are happy to announce, that the Opium relief question has been settled, to the extent of fixing the total amount to be given and the general principle of appropriation. As we stated on Saturday, Government has declared its willingness to give up a sum equal to 15 per cent. on the sale prices of all the Opium remaining in the godowns, which calculated upon the quantity reported there on the 1st instant would amount to about 18½ lakhs of rupees. This was to have been all; but upon more mature consideration, Government has recognized the propriety of not altogether excluding the shipments previously made. A further sum of ten lakhs is, therefore, we understand, to be appropriated for compensations to the holders of Opium unsold in the foreign markets, who must otherwise be severe losers by the sudden fall of price that will ensue on the news of this arrangement; an important condition of the concession being that the whi

Opium now here shall be cleared (and will therefore be shipped off) at early dates, which will probably be those suggested by the merchants themselves, namely, for the Opium of the February sale (that of January is all paid up except the cancelled lots,) on or before the 15th of September; for that of the March sale 15th October, and for that of the June sale 1st December. If the percentage bonus or deduction were rateably allowed upon the sale prices of the Opium in store, it would amount to nearly the same sum on the average prices of the lots of the three first sales, namely, to about 225 rupees per chest, and to about 210 rupees upon the average prices of the June sale; and this mode of giving it we should think the most equitable, though, to simplify the calculation, we should prefer to fix the sum per chest for each sale. The merchants have suggested a fixed sum, but for reasons unknown to us, or perhaps because they think it equitable to reduce the shipping price of all the Opium now here, to a common level or nearly so, they proposed that the bonus or abatement should be 300 rupees per chest on Opium of the three first sales, and 150 rupees on that of the June sale. But according to the godown returns of last Saturday there were 3,560 chests then in store of the three first sales, which at 300 rs. would give a refund or abatement of Rs. 10,68,000
and 3,981 chests of the June sale, upon which consequently might be given 200 Rs per chest, ... 7,96,200

making together Rs. 18,64,200 about the sum which by a different calculation Government is understood to have been willing to grant.

With respect to past shipments, it will be necessary either to adopt some simple principle of adjustment, or to define the various cases in which compensations will be allowed, and the amount thereof. The most simple of all plans would be to pay the *shipper*, under guarantee, so much per chest.*

But this would give an unfair advantage to persons who had shipped Opium to the Straits and sold it there to speculators who may have sent it on to China, and who in fact only carry forward the first speculation and represent the original shipper in the ultimate market. And again, in the case of the Jew trader who has realized his speculation at once without loss at Singapore, Malacca or Penang,—markets not of consumption but depot, ruled altogether, at the beginning of the season, by the prices in Calcutta,—it would be a wanton gift to make him a present far exceeding the average profits of his trade. While on the other hand, a *holder* of Opium at any of those places, would be just as much affected by the news of the bonus given here, as would the holder of Opium in China, and consequently as much entitled to consideration as the latter. Thus we have shown what interests should be respected, in the Straits trade and what disregarded. Respecting China the case is somewhat different. The distinction between Opium sold and unsold is not so easily defined there, because Opium orders are passed from one hand to another, the particular chests noted in them remaining on board a receiving ship at Lintin long after the date of a contract for sale, which contracts are but transfers of the property in the meantime but no progress towards the possession of the consumer. On the other hand, though the sales actually made have had the benefit of a reduced competition from two causes,—the quantity of Opium kept back here, and the unwillingness of holders to submit to a great sacrifice upon the high prices of their invoices,—the consignees too being restricted therefrom in some cases by the shipper's instruction: yet the parties interested therein have clearly suffered with all the rest by the effects of the common delusion which caused the prices of the season to open too high, and also by the facility afforded to gambling bidders, which facility was never more abused than it was this year. They are therefore entitled to some consideration also in the question of indulgence, say perhaps to half the rate of drawback which present holders might be allowed to claim. But for the reason already stated, there may be much difficulty in drawing the line between Opium sold and Opium unsold in China at any date, and if drawn with respect to the depot at Lintin, it might be found impossible to carry out the principle with perfect fairness to the shipping upon the East Coast, where now a large portion of the Drug is disposed of by the clippers Expediency, therefore, dictates the simple plan of allowing the *shippers* here to claim an equal (orprorata) sum upon all the Opium shipped by them to China or the Straits barring shipments to Java, and requiring proof, in the case of shipments to the Straits, that the Opium still remains unsold, or trasferring the original shipper's claim to there-shipper in every case of re-shipment to China. Distributed in this way, the bonus might amount to 140 or 150 rupees per chest on past shipments, with the exceptions we have allowed, and we are strongly of opinion that this principle of distribution would produce more general satisfaction than any other.

On the occasion of granting compensation to the Opium Merchants in 1837, a committee of two Civilians was appointed to settle the various claims. A Committee of merchants would do the business better in the present case, and as now there is no question of right, no responsibility would attach to Government involving the risk of a suit in a Court of law. All that is required is to declare the general principles of the arrangement, and that no payments on past shipments shall be made except upon certificate from such committee that the claiments are entitled thereto.

While we most heartily congratulate the merchants upon the success of their application, we must equally congratulate the Members of Government upon a display of resolution suited to the occasion. Phantoms of alarm have been raised up before them—they have been threatened with the displeasure of the

home authorities—they have been told, concession was injustice because it was inconsistent with the refusal to grant concessions in case bearing no analogy at all to the case before them—absurd and malicious insinuations have been thrown out to weaken the cause of the applicants—and arguments have been tortured and facts concealed or misrepresented, to contrive, if possible, the ruin of a numerous and very important class of the mercantile community, that class whose particular trade brings the largest fiscal revenue to the State but the Government has had the firmness to act upon its own view of what is right, and the good sense to despise the clamour of malevolence, and past experience warrants our conviction, that its conduct in granting this measure of relief to the Opium trade, will be approved by the authorities at home.—*Calcutta Courier, August* 14.

(To be continued.)

THE HINDU.

No. 12.

It appears to us that a belief in the existence of ghosts, hobgoblins, and spirits of departed persons has prevailed almost in every country. In whatever part of the world superstition has unfurled its banner and checked the expansion of thought, the development of *sound* ideas and the progress of civilization, we observe the people of such places maintaining and adhering to doctrines and opinions that are entirely at variance with *truth*, and are either grounded upon an extravagance of fancy or gratuitous assumptions. Aware as we are of this fact it cannot be a matter of great astonishment to us to perceive the credulity of our countrymen who are notoriously weak in intellectual energies on matters relating to demonology and witchcraft. It is the deliberate conviction of the Hindoos, that a person dying at home, or in the roads, *but not in the Ganges*, is metamorphosed into a ghost, and haunts the neighbourhood, in order to frighten people, and fling dirt at their houses. There are several sorts of spirits *Bramins* dying unfortunate and ignoble deaths become *Bromo-duttoes*, who are known to reside in unfrequented and airy spots, or on the tops of huge umbrageous *chapa* trees, and are universally acknowledged to be the "most potent and renowned" demons that ever flourished in the "cide of time." The *Sackchoonnees* and *Pateness*, or the ghosts of women, are of amazing tall stature. They have conical faces, acquiline noses, and heels turned in the opposite direction. They are great lovers of *sookteemauch* and are the constant residents of bogs, morasses, *paykanahs*, and all such disgusting mansions as are dedicated to the GODDESS OF FILTH. The ghosts of the Mahomedans are called *Mamdoes*. They are of a very turbulent and ferocious nature, and are far superior to the *pootes and dhanoes*, or the ghosts of the *Hindoos*, in point of strength and agility. They live in high *mujeeds*, *maydaans*, and burial grounds. The *Ignii Fatui* are considered a species of devils. They inhabit field forests and marshy lands. At night they come out from their dens to satisfy the *rebellious* cries of their bellies, and whenever they gape to take in a cargo of either leaves or insects, a transient glare is to be perceived at a distance. They are said to roll on the ground merely with a view of bewildering and perplexing travellers. Besides the several descriptions of devils mentioned above, there are also ghosts of cows, horses, and of beheaded persons, all partaking of the same evil nature, and invisible to mortal eye except when they please.

It is supposed that there are still witches in Calcutta, whose occupation is to suck human blood by some magical *munters*, but which can be prevented by throwing a little quantity of salt upon them, previous to their commencing to stare. When any children are indisposed, particular care is taken in concealing them in some private place, for if once the *dhaeens* (witches) happen to see them, there will be little prospect of their recovery.

The *Rojas* are a set of people who pretend to be conversant with magic, witchcraft, necromancy, &c. and cure the disease produced by the attacks of devils and *dhaeens*. They are the lords of all the

> Black spirits and white,
> Red spirits and grey,

who at their instant bidding must appear from their sulphurous abodes, and perform the functions they are commanded to do, or receive a condign punishment for their inattention and negligence.

When the women of Calcutta are afflicted with hysterics, and the medicines of *boyrauges* produce no effect upon them, it is usually supposed that some *devil* must have had *in some evil hour* a *criminal communication* with them, and whatever they will speak must be taken as the words of his abhorred self. In order to cure such distempers, recourse is had to a *Roja*, whose very entrance into the house makes the devil tremble with fear, and tends to excite a boisterous commotion in the spot. In the room where the patient lives, the *Roja* makes his appearance, after having prevented the devil from making an escape by dint of his *munters*, and mutters a few *spells*, which are said, to extort from the individual labouring under the disease, all the secrets relative to her connexion with the evil spirit, when the magical man holds burnt sulphur and burnt mustard near her nose, the smell of which being extremely unpleasant, she vehemently cries to free her from that torment,

while the *Roja*, thinking her cries to be the cries of her wicked lover, beats and lashes her till she faints on the ground. It is then concluded that she has been left by the mischievous *boot*. Men attacked with illness of a like nature are supposed to have received the wooings and nocturnal visits of *Sacchoonnees*, whose carnal desires being the most predominant of all their passions, incite them to make connections with mortals, and those that tread their grounds or repose under the shade of *their* trees, are sure to be intoxicated with their *fiendish* love, which if allowed to be continued for a month or two, and not brought to the notice of a *Roja*, cannot but prove fatal to *such* hellish *Sachchoonnee's* paramours.

Legends and tales relating to ghosts lend a peculiar charm to the Hindoos, most of whom are so strongly convinced of the existence of these ethereal beings, that they can have little courage at dark nights to visit unfrequented places, burial grounds or the awful *Shusan*. The women are the most proficient in relating such *fantastical* stories, and find them a very efficacious means of lulling children to sleep.

It has been stated in one of the preceeding papers, that the natives consider the procreation of sons deeply connected with their spiritual welfare. Should a member of a rich family be destitute of this boon, it is not unusual to seek the aid of a *Roja* to smoke a devil for the purpose of ascertaining from *his oracular lips* the cause of his being sonless. In the room where the ceremony is performed, no lamp is allowed to be kept. The *jilmels* and windows being all shut, the *Roja* sits cross-legged on a *koosasen*, while the gallant few who can have the boldness to remain there, sit close to each other, observing the greatest degree of taciturnity and regard to the *invoker*, and looking around every minute with dismay flickering in their faces. In the course of a few minutes a noise is made, which being taken as the signal of the devil's approach, the *Roja* cries out "Asoon! asoon!" (Come! come!) and asks him the question for which his assistance was sought. The devil, after having a little chit-chat in the usual voice, which is said to be the characteristic of the speech of all *the ariel creatures*, makes an appropriate answer and returns to his abode. It has been found in several instances that the *Rojas* are the greatest impostors, and are versed in tricks sufficient to raise their character in the estimation of the credulous and foolish. It may be that they possesses a little knowledge of ventriloquism, or have acquired the art of speaking in two different voices, which experience proves quite feasible, and cannot easily be detected in dark rooms, whose doors are snugly shut. The Hindoos, moreover, entertain a very high opinion as to their professional abilities. What a great advantage must the *Rojas*, therefore, have, in personating the parts of ghosts! How smooth must be the way in which they amass *rupees*, *annas* and *pies*! And how easily can they make the baboos believe by some furious growl or hoarse vociferations of their own on every occasion of invoking spiritual powers that

"Hell is empty
And all the devils are here."

No. 13.

It is not fair and proper to speak only of the faults of a people, and I would certainly make myself culpable of an act of injustice were I to state that my countrymen are *entirely destitute* of all good qualities. The Hindoos, like every other nation, have their peculiar virtues and vices, and, had it not been for thier excessive veneration of superstition and love of bigotry—a circumstance which, deplorable as it is, is solely attributable to their want of education they would ere long have been distinguished for a higher degree of improvement in their taste, intellect and morality. Experience proves, that the assertion of prejudiced persons respecting the Hindoos being *naturally incapable of amelioration*, are mere exploded *dogmas* and from the opportunities which impartial men have had of judging their character, they can by no means deny the existence of intelligence or honesty among them. I maintain that even among the most bigotted Natives, there are some who are really upright, good-natured, and charitable, and possess other virtues creditable to themselves; I should, therefore, deem it most unjust on the part of any one to pass a sweeping condemnation on the *whole* race without exception. There are good and bad in every nation, and the proportion of the former is generally greater than that of the latter.

In very hot weather, the respectable Natives of Calcutta get small sheds raised either near their houses or gardens, and keep there servants with eatables and jars of cooling water for the accommodation of poor passengers, and so much are they animated at this time of the year to satisfy hunger and allay thirst, that the very wandering beasts are also *invited* to drink in the *gaumlas* that are placed there for that purpose. The excavation of tanks in those villages where the want of a good supply of water is very much felt, and raising mundors beneath umbrageous trees for the rest and refreshment of travellers, are acts of every day occurrence among Hindoos. When a tank is dug or a seat built beneath a shady tree, they are of course solemnized with some *munters*, but however superstitious be the way in which they are dedicated to the cause of charity, the *acts themselves* are good and performed from benevolent motives.

Some of the rich Natives have built a successive number of *mundeers*, each of which contains a large piece of stone, being the representation of *Sheva*, and have added to this religious establishment an *Ote chaloy*, or a caravansary where guests of every description are gratuitously entertained with no little mark of kindness and hospitality.

Such acts of humanity are productive of infinite benefit to the *fakeers* and the poor classes of people at large. It is a known fact that groups of *Moosafurs* wander every day in all the streets of Calcutta.

Remote, unfriended, melancholy, slow,

while the intense heat of the sun singes their complexion and preys upon their strength, and if in such burning weather they could not get suitable refection, beverage and resting places to renovate their exhausted frames and acquire agility in their limbs, think how many would fall victims to the oppression of weariness and the inclemency of weather! In addition to these, some other charitable actions, both of a public and private nature, which the Natives are in the habit of committing, may be enumerated; but from what has already been mentioned, we might safely conclude that they are by no means strangers to the practice of virtue, and are ready to relieve the misery of the distressed.

We have not the slightest doubt that if their moral feelings be properly cultivated, and if they *learn* how to *judge well* for themselves, their heart and purse will be open to the calls of generosity and a Native to Native "shall brothers be."

Innocent amusements.—The Calcutta Baboos, whose favorite diversion consists now in the chase and cards, took at one time a great delight in the fighting of *bulbuls*, flying of kites, and the gymnastic exercises of *puttuns*. But since the agency houses have fallen, and have abstracted a great portion of their long hoarded wealth, now brightly gracing many a "voluminous" schedule of the Insolvent Court, what a death blow has been struck against the continuation of such amusements! The flush of internal tranquality which brightened the countenances of the rich now seems to have faded in total evanescence, and the loss of fortune has really shed a gloom over their aspects.

At present a very limited number of Baboos indulge in such entertainments and the manner in which they are celebrated is not half so ostentatious as before.

The bulbul fighting generally takes place in an open spacious area. On the appointed day, it is excessively crowded by spectators of every class. As soon as the gentlemen of both parties whose feathered warriors are to atchieve martial exploits, take their seats, the signal of war is given, when each of the *khaleepaks* of the two opposite *dalls*, selecting a plumaged hero from his host of combatants, tied on small pieces of bamboo fixed in successive rows on the colonnade of the *pahlooes*, lets it strut and chirp on the ground, and the moment a little quantity of *chatoo* is held in a conspicuous manner, both the champions of military fame raise a hue and cry to swell this viand. The cunning *khaleepak* who starves them for two or three days to increase their hunger and animosity for this purpose, takes away the object of their contention, on which a fierce battle ensues. And though there be no drum or trumpet or the exultant cry of fellow-warriors to inspire hope and courage, the animated bulbuls, all rage and fire, display extraordinary feats of heroism, and rush upon each other with such impetuosity and vehemence as cannot but make the spectators apprehend that they would "*memorize another Golgotha!!*" As soon as one of them is vanquished, cries of yah! yah! pervade the place, and the baboo to whose *menageric* the bird belongs, presents his *khaleepah* a few rupees. In this manner the *tamashaw* is carried on for about two or three years, and he whose birds prove victorious at last, marches homeward with his friends and comrades in an exuberance of joy and hilarity.

The flying of kites is also performed by two opposite parties from their respective terraces. Great attention is bestowed on sharpening *line* with a pasty compound made of glue, sellicious powder and *khoee* (fried grains) boiled together. When the kites rise triumphantly on the pinions of air, and whirl and twist in the bosom of clouds, in how many ways do the *flyers* turn their reels to regulate the tumultuous movement of these flying fooleries! And every effort that these ethereal sojourners make to hurl down each other to "bottomless perdition," excites the most sanguine expectations of the spectators as to the final issue of their *dragon like* war. As long as the one does not fall a victim to the rage of the other, every person who is interested in this *quixotic* concern exhibits symptoms of anxiety and uneasiness as if his whole life were at stake. This struggle does not last for a long time, and the moment one of the kites cut its antagonist, and towers high and high in a majestic way, the terrace whence it is flown rings with the din of *doowors* and long continued applause. The gymnastic practices were for some time warmly supported by some of the rich families; but the fervor of their zeal seems now to have entirely evaporated, and nobody thinks of improving his physical energies. Since the death of *Rkada Goakla*, the *Achillies* of the modern Hindoos, there have been few gymnastic exhibitions in this city of palaces, and should such a state of things continue for some years, the *pattahs* and *pallowns* must give up all hopes of feeding on *gue dipt rootees* or richly dressed *dawl*. In vain would they then turn their *moodgoors* to add flexibility to their limbs, or fall up and down on the ground to udapt themselves to all the adroitness of *koostee*. The days of displaying strength and heroism in the gymnasia from motives of lucre are perhaps gone for ever, and with the increasing intelligence now diffusing itself in this country, all mad projects attended with *immense expense* will, we hope, be altogether abandoned, as sense of utility pervade the Native population. We are, however, by no means enemies to *gymnasiums* if they be formed on *correct* and *liberal* principles—principles which would promote public vigor and health, and the maintenance of which would devolve on such

as would take an active part in its operations. But I would certainly never encourage idleness by feeding a number of *pattahs* or spending any sum of money for their care and comfort in furtherance of an object which would neither prove beneficial to myself or to my countrymen.

June 29, 1837.

No. 14.

The ideas of the Hindoos respecting cosmography, heaven and its wonderful phenomena, are extremely marvellous, and savour much more of poetic fiction than any *demonstrated* truths of science. It is quite evident from the very nature of the theories, that a belief in them must imply a want of judgment and *perversion* of reason. They are on the whole a mass of *phantasmagoria* of a disturbed and heated imagination, conductive of no other end, but that of extending the dominions of error and superstition.

The universe consists of seven islands and seven seas. The great globe itself which we inhabit, is called the *jumboo deep*, owing to the circumstance of a blackberry tree of immense height being planted in one of its parts whose fruits are as large as elephants and the juice of which drizzling in a lake engenders heaps of purest gold. The seven seas are the receptacles of seven different kinds of things, viz., honey, curd, clarified butter, salt, milk wine and water. But what can be the cause of their adopting these comical arrangements as true, we are really at a loss to conceive.

The firmanent contains seven stories varied in aspect and size, and inhabited by seven different kinds of people who must have performed some glorious actions previous to their settlement in those felicitious regions. The innumerable legion of stars which adorn the sky are the transformations of the eyes deceased persons. Whenever a meteor falls to the earth, it is a sure sign of one of the deceased being re-born in the great family of mankind. But should an individual happen to see its descent, it must die a few moments after its birth, and the observer must incur the guilt of murder. How difficult is it then to the astronomers to make their observations in open places, for if in prosecuting atmospheric researches, they often witness the shootings of meteors, they must make themselves the *Macbeths* of new born generations which might rouse the shade of *Malthus* to give us a new edition of his favourite theory—adding to his principles of "vice and misery," the ravages and destruction which astronomy has hitherto committed, and but for which population would have progressed in a *geometrical* ratio. But whatever may be said about this matter, the persons who thus wilfully murder our dearest babes (in whose lisping and cries we say there is a music "soft and sweet as *Apollo's* lute") ought to be tried and punished by a court of *justice* where EQUITY and GOOD CONSCIENCE guide the executive authorities!!!

The clouds are a species of animals endowed with sensation of hunger and thirst. Whenever they feel inclined to eat by the calls of nature, they march in a flock to eat the leaves of *saul* trees, which is believed to be their richest dainty, and by the froth that flows from their mouths on the tops of mountains and hills, while this food undergoes the processes of *insalivation* and *mastication*, they produce all the *abour* (mica) which we see so plentifully embedded in the bowels of the earth.

The formation and fall of rain are not owing to the exhalations and evaporations which we see taking place almost daily in every collection of water, but are ascribed to a cause of a quite *fabulous* nature. It is said that *Indra*, the God of the firmament, has a gigantic elephant known by the name of *Oerrábat*, which *at his bidding* draws up by means of its huge proboscis, the waters of the seas and rivers, and throws them back on the earth from the lofty portal of the welkin.

Lightning is produced by the corruscations of the bright color of a girl called *Bidloot Lota*, who combines in her beauteous features and form so much loveliness and enchantment, that the very clouds hie towards her feet, captivated by her charms while the *all-seeing* Indra, enraged at their brutal conduct, darts on them his dreadful *budger*, which is acknowledged to be the cause of thunder. When the loud claps of this terrible instrument of woe are heard, it is thought prudent to avoid the company of maternal uncles, as acting in opposition to this practice is attended with the visitation of its discreative effects. The rainbow is the exact picture of the bow of *Rama*, the hero of *Ramayna*. The halo of the moon is the sign of the congregation of a host of celestial beings around her pearly car.

The wind, storm, whirl-wind, and tornado do all spring from the God *Pubona*, who is of an athletic stature and invincible might. The air is of forty-nine species, all of which blow from the great belly of that deity; but if by any sudden expansion or oversight in "*unbuttoning it after supper*," it be burst at any time, think in what a jeopardy we would be placed. A continual scene of blowing, tossing, and tumult would prevail—our books, tables, chairs, and all the *paraphernalia* of furniture would be lifted above—our speech and words would be lost in the boisterousness of squalls, and every object of nature would be subject to so much concussion and convulsion that

> The cloud capt towers, the gorgeous palaces
> The solemn temples, &c., &c., &c.

would at last be dashed to pieces, and,

> Like the baseless fabric of a vision,
> Leave not a wreck behind.

The origin of mist is founded on the following story of *Mohavasurot*. One morning in summer *Mutsogunda*, the daughter of *Dhebur Rajah*, was tripping on the flowery bank of a crystal lake. The picturesque view of the contiguous fields and vales was perfectly

enticing. The golden smiles of *Orpoonah*,* the gentle whispers of Somirod,† the dulcet symphony of birds, the emerald aspect of verdure and the caperings of innocent creatures, were the charms of the matin scenery of this rural spot. A few moments passed and before the Lady of the Lake appeared a man of a majestic demeanor. My name, said he, is *Parasur Moni*, thy beauty, dear lady, has captivated my heart, and I can no longer endure the pangs of love. The fair *Mutsogunda* brightened at this—she blushed—she droped her head and remained silent. The impatient *Moni* at last took her up in his arms, and being requested to darken that sequestered portion of her father's dominion said, Let there be mist, and mist there was.

Calcutta, July 6, 1837.

No. 15.

It is almost a matter of notoriety that a love of travelling and a spirit of enterprise are not the characteristics of the Hindoos. To visit foreign countries by European ships is deemed derogatory to their honor and injurious to their cast. We know of no native (with the noble exception of the illustrious Rammohun Roy) having ever troubled himself as yet about treading distant realms either for the gratification of curiosity or the aggrandizement of fortune. It is this lamentable circumstance combined with the apathy of the Natives to the cultivation of lands, that operates as a great check on the improvement of agriculture, the acceleration of commerce, the extention of *intercourse*, the adoption of better usages and institution, and the consequent amelioration of the country. But we hope that with the dissemination of knowledge which may properly be denominated the *panacea* of every *moral disease*, such prepossessions will utterly wear away, and the long reign of *error* will ere long be extinct.

However prejudiced they may be to roam in climes separated from their native country by many a sea and river, and however disinclined they may be to embark their capital in undertakings requiring them to bid a temporary adieu to their "home and hearth," they never regard it as a matter of little consequence to visit those parts of Hindoostan that are reckoned *sacred* in the *shastur*: the holy Benares—the sublime *Poore* of *Juggernauth*—the awful seat of *Gyasoor*—the wonders of *Jolamukee*—the dark abode of *Buddinauth*—the bloody field‡ of *Kooruck Ketro*—the magical waters of *Sita Coondoo*—the lovely groves of *Bindabone*—and the long renowned *Poyrang*, haunt the thoughts of the young and the old. There is nothing in the world so grand and magnificent to a Hindoo as the sight of these *consecrated* spots. Every temple, however dilapidated and mossgrown it may be, and every mass of stone placed in its centre, are calculated to fill the minds of pilgrims with emotions of veneration and piety. In all the objects of antiquity that are linked with *mythological* associations there is an *ideal excellency* appreciable only by such as are totally absorbed in the contemplation of religion. Pilgrimage is said to be expiatory of all the sins committed in the secular life and conducive to their spiritual welfere.

Of all the *turtoes* mentioned above, a visit to *Gya* is the most important. Every pilgrim that goes there offers *Pindees** on account of his ancestors, and all deceased relations and friends. This is one of the *principal* ways to promote their salvation, and place their souls in the midst of every celestial enjoyment. Those that become devils after death in consequence of their dying at home, and trouble the families to which they belonged, can also be drifted to heaven by the adoption of this means. The fiends are said to live generally on the tops of trees. When they are destroyed by dint of this *hocus pocus* for their ultimate good, a large branch of each of them trees must be broken, which is thought to be a certain sign of their ascension to the sky. The sanctify of Gya is founded on a fabulous story. It is said that when *Gyasoor*, a powerful giant, rebelled against the Gods, and began to commit every sort of mischief, a terrible battle took place between him and *Khrisna*, which ended in the defeat of the latter. But the mighty conqueror, moved by entreaties, was at last prevailed upon to live quiet under ground in *Gya*, provided he would receive *pindees* every day. It has therefore been enjoined by our *shastur* that those who wish to promote the spiritual happiness of their ancestors and deceased friends, should adore the giant in the manner prescribed therein. It is evident that the name of the place is derived from the circumstance of *Gyasoor's* residing in one of its parts. Should it so happen that not a *single pindee* be offered to him any day, he would rise again hot with indignation and "fierce as ten furies" to render the world a scene of havoc and bloodshed, and hurl the very Gods, as he did before, to "bottomless perdition."

It is probably well known that some animals and trees are highly respected by the Hindoos. A cow is said to be the representative of *Bhuggobutty*, a lion the favourite animal of her riding, a bull that of a her husband, a mouse and peacocks those of her sons, serpents are the servants of *Monsha*, cats are the nags of *Sostee*, the goddess of children, and in this manner a great many quadrupeds, birds, reptiles and fishes belong to some god or other. Among the vegetable kingdom, *bale*, *butt*, *ausuck*, *mallika*, *toolsee*, and *neem* are generally worshipped. *Bale* is the beloved tree of

* Morning twilight.

† Southern breeze.

‡ It is said by many a pilgrim that the colour of the fields of *Kooruck Ketro* (in the vicinity of Delhi) is as red as blood, which is admitted to be a vestige of the *furious* war waged between the *Pandabs* and the *Kooroos* in the Dwaper tug.

* Pindee, means a medley of rice, plantain, sugar, honey, *toolsee* leaves, &c,

Hinu, when nothing can delight so much as its leaves. *Butt* is reckoned a *sacred* tree. The reverence paid to *aussuck* arises from a belief that the souls of Brahmins are transformed into its leaves, and it is therefore thought a most heinous crime to tear any of its parts. *Monsha* (cactus) is the earthly image of the goddess of snakes. The leaves of *toolsee* are highly valued in consequence of *Khrishna's* being excessively fond of them, and *neem* is considered holy, and is never burnt because *Juggernauth* was formed of this wood.

Jokes.—The Hindoos are rather a gay set of people, and are great lovers of 'quips, cranks, and wanton wiles." Some of them possess a slight knowledge of *Paronomassia*, but the majority are well versed in all the "quirks, quiddits, quibbles, equivocation, and quizzing" of puns. The jokes which they crack towards each other are of a disagreeable nature. One brother-in-law says to the other "door sala, door banchode!" I will marry your sister, &c. The maternal uncles say to their nephews *door gokhakors bata* (away, you son of an ordure-eater) I will marry your father's sisters, &c. The parents, uncles, and aunts say to their sons, ho! ho! *sasoorah baboo* (oh! you the gallant of your mother in-law) you have succeeded to your father-in-law's bed, &c. The jest which grandfathers, grand-mothers, and grand-uncles, &c. bandy against their grand-sons and grand-daughters are a regular attack on their comeliness and character, which is repelled with acrimony by the attacked. The sons and nephews declare in jokes that their parents and uncles are illigitimate, and are the lovers of *their* wives. The younger brothers joke with the consorts of their elder brothers respecting their beauty and chastity, and in this the different relations of a family become facetious and gay to swell the roar of laughter —meaning it perhaps as a lesson for such as are the gaggers of gigglers—the Herods of witlings and procrustra's of full grown wits.'

Calcutta, 27 July, 1837.

[*Englishman.*

THE BLACK ACT.

COMPARATIVE VALUE OF LIVES AND PROPERTY OF EUROPEANS AND NATIVES IN INDIA.

In the January number of the *Edinburgh Review* there is an article on Captain Sleeman's work on Thuggee, attributed to the pen of a distinguished member of the service and a member of the Law Commission. In one part of it the following passage occurs:—

"This is, indeed, a noble instrument of beneficence, but much credit is also due to the hand which has so effectually applied it. The grand characteristic of Lord William Bentinck's measures is, that they were directed to the permanent benefit of the *mass of the people*. Hence the dislike with which he is regarded by the privileged few, and the veneration in which his name is held by the people of India. No renown was likely to attend the suppression of Thuggee. There were no mounted hordes to be subdued by brilliant military achievements. The work could be performed only by the silent operation of uninteresting judicial proceedings. The ruling class in India, who are the dispensers of European fame, were not concerned in the matter. The Thugs had never molested them. They once held a consultation on the subject, and resolved against ever attacking Europeans, for three reasons; one of which was, that Europeans generally carry pistols when on a journey; the second, that they seldom carry money; and the third, that if they were molested, such a storm would be raised as must end in the destruction of the association. In this they judged quite correctly. If a single civilian or military man had been thugged, thuggee would have been abolished long ago; and the Governor-General who accomplished it, would have had his praises sung from John O'Groat's House to Land's End.

"This is one of the evils of our anomalous position in India. The character of a ruler is principally determined by the way in which the interests of the European residents are affected by his measures. Hence a Governor-General may be held up to reprobation in Europe for the very reason for which he is entitled to praise,—because he consults the interest of the many in preference to that of the few. The remedy for this state of things, as far as it admits of a remedy, is to unite all interests by subjecting the natives and the European settlers to common laws. Indian Governors will then no longer be distracted between the interests of the powerless many, and the powerful few; and European energy will unite with native acuteness and local knowledge in improving institutions in which the welfare of all will be equally concerned."

This has certainly been one of the greatest errors of the British Indian administration. The life and property of a European, particularly a member of the service, has been looked upon in a very different light from that in which the lives of the natives have been regarded. Thousands of the latter might perish, without exciting alarm, whilst the loss of one life among the former would be noticed from one end of India to the other. The resolution of the Thuggs alluded to in the above extract, is a clear proof of the feeling on this subject which then prevailed in India, and the remains of which may to this day be seen on different occasions. To Lord William Bentinck must be chiefly attributed the credit of giving a different direction to the current of public opinion. That Nobleman's administration, whatever might have been its defects, was based on the Benthamite principle of the greatest good of the greatest number, and it is ever since he gave a different direction to the principles on which this country had been governed, that the natives began to rise in the scale of society, and to assume that position

to which they are justly entitled. The suppression of Thuggee which had been so long continued in India, was one of these acts, and his Lordship has been justly praised for it as a reformer of the British Indian Government.
—*Reformer, June 18.*

Oh that one would hear me! and that mine adversary had written a book. Surely I would take it upon my shoulder and bind it as a crown to me. I would declare unto him the number of my steps; as a prince would I go near unto him. If my land cry against me or that the furrows likewise thereof complain; if I have eaten the fruits thereof without money or have caused the owners thereof to lose their life, let thistles grow instead of wheat and cockle instead of barley.

TO THE EDITOR OF THE BENGAL HURKARU.

SIR,—The *Reformer* of Sunday last contained an article headed COMPARATIVE VALUE OF LIVES AND PROPERTY OF EUROPEANS AND NATIVES IN INDIA, the staple of which is an extract from the *Edinburgh Review* of January last. You reprinted the article from the *Reformer*.

Without indulging in any speculations concerning the authorship, I beg leave to ask the author (whoever he may be) a civil question.

Who are the RULING CLASS IN INDIA, who the POWERFUL FEW?

1*st Answer.*—The covenanted civil servant is the RULING POWER, powerful in the first degree. He is alone in possession of the whole of the superior posts of law and revenue: he is solely responsible in the highest degree for the due administration of both. The condition of his appointment is not merit, the test of his merit is not the result of free competition. He is the ruling power and may say, *L Etat c'est moi*, and if while he protects himself he cannot or will not protect the POWERLESS MANY and yet being one of the PRIVILEGED FEW, dislikes Lord William Bentinck's measures *because* they were directed *to the permanent benefit of the mass of the people*, would it be any loss to humanity if he were selected as a subject for Thuggee himself? Now pray observe, gentlemen of the Civil service, that it is not I, A LAWYER, who have thus written of you, but a writer who wishes by COMMON LAWS applied to all but yourselves, to increase your irresponsible power while he thus brands you with worse than incompetence.

2*d Answer.*—The *Amlah* constitute a portion of the RULING CLASS powerful in the second degree. They have the secret of Talleyrand "*tout fait Français paraitre*," and are they not as a body careless about their countrymen and do they not wink at Thuggee, connive at it, league with it, and share in its profits without shame! The remedy for this state of things is to give them more power and by COMMON LAWS a new order of subjects to be handled gently and milked "*a misericorde et a merci.*"

3*d Answer.*—The Suddor Ameens, Moonsiffs and Special Deputy Collectors are the ruling class, powerful in the third and last degree. One of them may have the merit of three or three dozen civilians, but can never by any human possibility, while the India House stands, vault over the pale and take rank among the covenanted or be the reputed equal of his real inferior. *This is to subject the natives and the European settlers to Common laws, to consult the interests of the many in preference to those of the few.*

What was the effect of Act No. XI of 1836? Was it then to subject the native and the European Settler to *Common laws*? It was directly the reverse, for its effect was to render the condition of the European settler, and the native thoroughly unequal, and to give the latter an advantage in every instance and this too, we presume, was done to "*unite* all interests' and to "consult the interests of the many in *preference* to that of the few." I beg leave to ask this ingenious writer, is that EQUALITY? IS IT JUSTICE? By what arithmetical or geometical ratio does he find the exact majority which shall entitle the class possessing it to *a preference of its interests* in the administration of *justice*? But let us proceed with our analysis of the provisions of Act No. XI. of 1836.

1*st*.—The Native has the benefit (if both suitors are Mahomedans) of Mahomedan law, in matters, of contracts, inheritance, divorce, marriage —i. e. *of his own law*.

2*nd*.—The Native (if both suitors are Hindoos) has the like benefit in all cases

3*rd*.—The Native (if one suitor be a Mahomedan the other a Hindoo or the reverse) has a *known rule of law to go by*, and knows before hand that the law of the defendant will govern the case. The Judge knows it too, and has some knowledge of the law.

4*th*.—The Native is left exactly as he was before Act XI. of 1837 with respect to the right to appeal. A right which, whatever our bastard-Benthamites may think of it, is of the last importance when the judges in the first instance are neither well informed nor upright. These gentry forget that the very key-stone of Bentham's whole theory is the assumption that his judges shall be well informed and upright and kept in order by a vigilant and well informed *public*.

This being the position of the Native, let us contrast it with that of the Englishman since Act No. XI. of 1836.

1*st*.—If both suitors are Englishmen they have the benefit of NO LAW according to the letter of the Regulations vide as. 8, 9, of Reg. VII. of 1831—but that which shall come out of the judge's mouth, as the laws of England were to come out of the mouth of Jack Cade, in short they are to have the law of Equity and good conscience, and this too as well in the matters of inheritance, divorce, marriage, &c as in contract!!!

2*nd*. If the Government, though it refused to give answer to the petitioners who *asked what law was to prevail in future in the Mofussil in the above specified case*, were by a receipt from Mr. Secretary Any-body to the Judge to signify that *English law* was to be administered to the client in any given case the Englishman would then have the benefit of English law administered to him by a Judge who had never studied or practised it in his life, and who (the odds are about 90 in a hundred) could not speak or read one word of English.

Of his condition after such a decision as he would be likely to get respecting the right to appeal we shall speak hereafter.

3rd.—The two above cited examples are of cases in which *both* suitors are Englishmen; we now come to the case in which one is a Native, Mahomedan or Hindoo, the other an Englishman: in this case the conditions or both are equal as far as the law to be administered is concerned, that is neither get any law at all, no rule but the judge's notion of the law of equity and good conscience. If administered, however, by an European Judge of the Civil Service, he all his life from boyhood has been known to Government and his fellows, and his whole life has been (if the appointment be a fit one) one continued guarantee for at least personal honor and integrity. But then his bias and learning as a member of the Civil Service and a servant of the East India Company is not *towards* but *against* his countryman in the *interloper*, where he has any leaning at all. If the Judge, however, be a native, he has no such guarantees to give for integrity (clean by no human possibility, whether he be Hindoo or a Mahomedan, escape a bias both of a religious and social character against the Englishman. The officers of these courts besides, down to the peons, are natives, the language is native, there is but *one counteracting this odds*, which we dare to say will be used, and our philosophers will see whether the interests of the many are consulted in preference to those of the few by subjecting European settlers to unequal laws administered by native judges.

Lastly as to appeals. Formerly an Englishman could appeal exclusively to the Supreme Court. Where one suitor was native it was but just to take away this privilege and so the petitioners prayed it might be taken away and an *option* substituted to appeal either to the S. C. or the S. D. A., the option of course residing with the party appellant. In cases where *both suitors* are Englishmen to oblige them to appeal cases of English law concerning a divorce for example or a question of who is heir at law, to the S. D. A., is to oblige them to go to the worst Court for them. In all cases an appeal lies from the Supreme Court to the Privy Council, where the amount in dispute exceeds 4,000 rupees; from the Sudder Ameen or the Zillah Judge an appeal lies to the S. D. A. only, when the amount exceeds 5,000 rupees and from the S. D. A. to the Privy Council only when the amount exceeds 5,000 sterling *pounds*. The supplement to the Black Act, is about to cut off appeals to the S. D. A. while it makes the jurisdiction of the Sudder Ameens unlimited in amount; and just when the Judicial Committee of the Privy Council (being reformed) has begun to work cheaply, speedily and effectively, the Englishman in the Mofussil finds that under a new law he cannot appeal cases under £500 decided against him by natives to *any Courts*, nor cases to England under £5,000, because it is fit that all should be subject to common laws. Why, the *native* inside the Mahratta ditch can appeal a £400 case from the Supreme Court to this hour and is likely to be able to do so for a longer period than some of our law-givers may think for. Is that a COMMON LAW THEN? Or, is such a condition of things an approach to UNIFORMITY? Or is not rather the use of such unmeaning generalities and pompous catchwords more empty babble or worse?

A LAWYER.

Hurkaru, June 20.

LETTER OF THE EAST INDIA AND CHINA ASSOCIATION ANENT THE BLACK ACT.

Cowper's Court, Cornhill, May 9. 1837.

Sir,—I am directed by the Committee of the East India and China Association, to inform you that their Chairman has laid before them your letter of the 14th November last, requesting the co-operation of this Association in the endeavour to procure the repeal of the Act of the Governor-General of India No. XI. of 1836, taking away the right of appeal from British Subjects to His Majesty's Courts; also your further letter of the 20th November, covering the second of a set of bills for £000 forwarded to that gentleman.

The Committee no sooner had them laid before them, than they took the subject into consideration: they perceive, with the inhabitants of India the high interest the question involves, how seriously the alteration must affect them for the reasons so strongly pointed out by you, and the weight petitions so respectfully signed, must carry with them.

The Committee are likewise sensible of the honor done them by your Committee in associating them with the gentleman they have selected to obtain redress for their grievances but they beg me to observe, that the East India and China Association, being in every sense purely mercantile, it would, they conceive, be foreign to the purpose for which it was instituted, to interfere in a matter which appears to them to partake more of a commercial character and that the same reasons which operated to prevent the Chamber from petitioning as a body, is not less applicable to this Association.

Individually the gentlemen of the Committee are most ready and anxious at all times, when they can do so consistently, to exert themselves to promote the benefits and forward the wishes of the people of India; and the petitioners may rest assured that they will derive great satisfaction in obtaining for them that full investigation of this important question which it so highly merits.

I am, Sir,
Your obedient humble servant,
J. STIRLMAN, *Secretary*.

MR. TURTON'S LETTER.

THEODORE DICKENS, Esq.
Secy. to the Com.
of the Inhabitants of Calcutta and India.

London, July 1, 1837.

MY DEAR SIR,—Since my last letter (31st May) I have little to report of actual progress. The memorials to the Court of Directors and Board of Control have been officially before

and we should think particularly suitable to the opium trade. These, however, are after considerations, for which there will be plenty of time for discussion. In the meantime, we should be glad to know, why the Government have reduced the export duty on Malwa opium, just at the very moment when the Bengal trade is so packed by the competition of Malwa, that the Government feels obliged to return the large sum of thirty lakhs.—*Englishman, August* 15.

We have snatched a moment of leisure to look back at the "masterly" letters of the *Hurkaru's* brilliant correspondent "DIAMOND," and have sifted them with as much disappointment as a searcher for diamonds must feel when the small residum of his washings leaves him but a few sparkling grains of no value.

DIAMOND concludes his second letter with a disavowal of "all hostility to the parties who have petitioned." The disavowal is entitled to be received in widest Pickwickian sense, and in the same spirit what follows :—

"I treat the question without fear or favor. I hold the Government responsible for the honest, just and humane appropriation of the funds it holds in trust for the benefit of the many, if relief to the Opium speculators comes within these limits, be consistent with those high duties, in Heaven's name let them get it."

Here, at least, is an admission, that it is the duty of Government to appropriate the funds trusted to it, with *justice* and *humanity*, and that *if* relief to the Opium speculators comes within these limits, they ought to have it. Now, in this case, the funds were not in possession they were to be screwed out of a particular class of the community, by a process of compulsion which must have failed in respect to some of the parties, and must have ruined many; and what were these funds? biddings at sales far beyond the value of the article bid for, that article the property of Government, and Government all the while wondering at the speculative madness of the bidders! Could there be *humanity* in forcing the fulfilment of such conditions after the folly of the speculation was proved by the event, and when ruin to many would have been the consequence thereof? Could it be justice to adopt a measure which would only succeed in its object to a limitted extent, and by partial operation against those who only had something still to lose? DIAMOND's position is carried by his own artillery. He affects to laugh at the idea of a Government *fleecing* the country by selling its goods too dear. Let him cry, "'*esto perpetua*' such fleecing" when the sale is to *another country;* but when the sale is to your own people, what they pay too dearly to the Government, whether in the price of a monopolised article or the cost of the public establishments, is a real loss on the one side, not necessarily counterbalanced by any benefit to the state on the other. But it is idle to make arguments upon cavilling objections like these, and equally unprofitable would it be to follow the attempts of the writer to prove a great *demand* for Opium (instead of the reverse) when the *Sylph* left China, by the fact, that a considerable quantity (less than former monthly clearances however), of Malwa Opium had been sold at a low price. Nor do we think it worth while to canvass his notion, that the Zemindars had a better plea for reduction, of their fixed rent on account of seasons than the Opium merchants for an abatement of an exorbitant *bid* far above what Government expected, made under a delusion arising out of a political event, and followed up by measures of restriction more severe than ever, as if the extent of disappointment in the latter case were more within the scope of calculation than in the former.

The instances of concession cited by us in the Salt Department, DIAMOND cannot but admit the force of; and, therefore, he consults the printed Parliamentary papers on East India affairs, hoping thereby to be lifted over the style by some adverse opinion expressed by the home authorities. Be it recollected, that we cited those instances for example's sake, to disprove the assertion that any concession would be contrary to the practice of *this* Government. And what does he find in these papers? that the Court in noticing Ramruttun Mullick's sub-monopoly of Salt in 1822, and the consequences of its breaking down, desired the Bengal Government to take measures to avoid such a dilemma in future. We will repeat the words quoted against us by DIAMOND :—

"The attempt of the more extensive dealers to create a sub-monopoly in their own favor, which occasioned the rise of price in 1822, defeated itself with so much loss and so much danger of ruin to the parties concerned, that we think with you there little hazard of any such purpose being renewed. You are upon your guard and, in case of a repeated attempt, the indulgence which you granted to them will not again be expedient."

Was indulgence of the same kind granted afterwards or not? that is the question. Yes; on three occasions, in 1824, in 1827, and in 1833, and the necessity thereof has been recognized at home. The very last despatch from the Court, on the subject of the old management of the Salt monopoly, is a general assent to the views of the local authorities here.—*Calcutta Courier, August* 15.

Our evening cotemporary is more than usually testy and grumpy in his editorial of Monday night; but why, we are at a loss to imagine, seeing that he has got more even than he asked for. If we recollect rightly, he modestly limited his application to 22 lakhs of rupees, and he has touched or expects to touch 30, or, perhaps, 35 lakhs. Now those who win, ought to laugh, and leave the "pathetics" to the losers, that many headed monster, the public, out of whose pockets the bonus to the Opium speculators must be screwed. We flatter ourselves we are entitled to a share of his ill humour, and are by

no means uneasy under the accusation of being influenced by malevolent motives, and all that sort of thing, because we happen to advocate justice to the many in preference to indulgence to the few; an indulgence unwarranted, as far as we have been able to ascertain, by one solitary principle of political economy or legislative duty. But among the malevolents on this occasion, we must reckon many of the receivers of the bounty, whose laugh at their own supposed folly in signing the relief-petition, was, we have reason to believe, only less loud than that which followed its success. As to the *Courier*'s sentimentality about any desire "to ruin a meritorious class of merchants," it is very well as a clap trap addressed to the Government, but the parties themselves ridicule the idea, as our cotemporary will, when he reflects, that had there been a loss of a few hundred rupees on each chest of Opium, there were the profits of thousands for several years to fall back upon. What arguments the Government will use to justify its conduct, we shall be curious to learn. We think it would have been as easy to have justified the appropriation among the Governor-General's Aides-de-Camp. We shall not fail, as far as may be in our power, to make the facts of the case known at home, and, if possible, to attract the notice both of Parliament and the public to this system of bolstering up a rotten monopoly, at the expense of the fair and free trader, to the manifest injustice of all other claimants on the Government, and ultimately, to the injury of the revenue itself.

At present we shall confine ourselves to a glance at the liberality of the Government towards the landed Proprietors, and we do hope our cotemporaries of the Native press will circulate the contrast far and wide, through the length and breadth of the land, that their Native brethren may mark, learn and inwardly digest how much better it would have been for them to have been gamblers in Opium than successors to the estates of their fathers under the paternal Government of the present day.

ARREARS OF REVENUE.*

	Bengal.	*Behar.*	*Orissa.*
Demand, ...	90,96,285..	35,97,776..	24,50,204
Remissions, ...	1,32,351.	446 .	67,42
Net balance due 1836-37, ...	30,51,831..	16,15,603.	193,102,7
In immediate train of payment, ...	14,05,575..	292,605..	6,61,783
Expected by distraint or sale of lands,..	13,88,208.	12,22,585.	10,18,471

From this document, it would appear, that the arrears of land revenue of the settled and unsettled districts of the Bengal Presidency, amounted to..... 1,51,44,085 lakhs.

That Government have munificently remitted.... 1,39,539 !!!

That it considerately proposes to distrain or sell, ... 36,29,204 !!!

A sum rather larger than the gift to the Opium speculators. Has the "*Courier*" no compassion for the parties who will be thus thrust from house and home, or is it all engrossed by the sufferers from their own imprudence in running up prices beyond all reasonable grounds of a profitable sale? At all events, we would not change our "malevolence" for his "mercy."

The next step will be the division of the spoil; but we advise our own particular friends who have been shaking their fat sides at the apparent facility of pocketing the "blunt," not to whistle until they are out of the wood. There are a good many "ifs" and "buts," and we never saw a cake cut up, without the cutter picking up most of the plums.

Since writing the above, we have heard, that Mr. Cohen has put in a claim for compensation, and desires to get his lots back! His claims are undeniable and his pretensions worthy of the best consideration, by all parties; for had he not moved at first, (on or off, matters not) where would the petitioners now be? His case is quite clear—*touch* he must!

We perceive by an advertisement in the first page, that a meeting of the parties concerned in the Opium Trade, will be held at the office of the Board of Customs, Salt and Opium, this-day, Wednesday, the 16th instant, at 10 o'clock precisely, "to receive information as to the result of their memorial." This is a fitting occasion to discuss Mr. Cohen's undeniable claims?—*Harkaru, Aug.* 16.

The Opium Trade Meeting at the Board this morning, was almost as crowded as an Opium sale. Upwards of sixty persons were in the room, when Mr. Parker opened the proceedings, and the number soon increased to more than double, including a large proportion of natives.

Mr. Parker commenced by reading the resolution of Government, which had been laid before a previous meeting, and having briefly stated the course of the negociation, and the assistance given to it by a committee of three gentlemen, Mr. Charles Lyall, Mr. Braine and Mr. DeSouza, he suggested that the Meeting should appoint a Chairman and proceed to business. Mr. Braine immediately proposed Mr. Lindsay, which nomination was opposed by Mr. Cockerell, on the ground, that Mr. Lindsay represented China interests only, and must, therefore, be assumed to have a bias inimical to the Straits merchants. he (Mr. Cockerell) would prefer somebody unconnected with either, and would, therefore, propose Mr. N. Alexander. On a show of hands, however, the first nomination was carried.

The Chairman, (Mr. Lindsay,) called upon Mr. Braine to read the Committee's report. In this document, it was observed, that the three first sales of the season having averaged nearly the same price, which price was about 200 rupees higher than the fourth sale, they considered the most fair plan of distributing the bonus on Opium now in the godowns was to reduce them all to one price. That, for

various reasons specified, it was quite impossible to ascertain what Opium was unsold in China at any particular date; that the forfeiture of uncleared Opium here and a re-sale of it, would involve a greater sacrifice to Government, than the highest bonus which had been asked for; that two schemes had been under their consideration, one providing for a bonus of 30 lakhs together, the other for a bonus of 40 lakhs; that of the Opium of this season actually shipped for China, it might be assumed, that about 5000 chests would remain unsold when the news of these proceedings should arrive, on which the proposed refund would be about 250 rupees per chest; assuming a distribution of 30 lakhs, and that a bonus be given of 300 rupees per chest on all Opium remaining in the godowns, of the first three sales, and 100 rupees per chest on what remained of the fourth sale; on the June Opium, however, it had afterwards been determined to recommend a bonus of 150 rupees. And, with respect to the Straits, it having been ascertained, that no Opium remained there unsold on the 1st of June, they conceived that all shipments to the Straits before the 1st of May might fairly be excepted from compensation, and that subsequent shipments to the Straits and also all re-shipments to China, should be put on the same footing as direct shipments to China from Calcutta.

Mr. Parker then read a letter from Mr. Secretary Prinsep in reply to the Merchants' petition; and holding the resolution of Government in his hand, and also a propose letter to the Court of Directors on the subject observed that he did not consider himself a liberty to read these; but, would state the tenor of the former as far as concerned the petitioners. He wished it to be understood that Government recognized no right in them to indulgence of any kind, and had treated the question purely as one affecting the interests of the revenue. That, believing it to be expedient in that point of view to make concessions to get the remaining Opium of the season cleared off, and that the cheapest way to effect this was by a remission of price rather than by forced re-sales, the Governor-General in Council had resolved to remit a sum equal to about 15 per cent. upon the Opium in store on the 1st of August, and would have preferred to divide it rateably among the different sales; but as the Merchants wished to have an unequal rate, namely, 300 rupees per chest on the three first sales, and 150 on the fourth, these rates would be admitted, subject to the condition that all Opium of the February sale must be cleared in cash by the 15th September, all Opium of March by the 15th October, and all of June by the 1st of December. That Government did not recognize any claims to compensation for losses on shipments made, the result of speculations being no concern of Government; but, as those who might have Opium on hand in China, would be injured by the present measures, Government was disposed to grant a further sum of 10 lakhs for distribution among persons so situated. However, this not being quite consistent with the principle laid down above, Government wished the distribution to be made by a graduated scale, given the largest proportion to the most recent exporters, as these were likely to be the holders most affected by the bonus on future shipments.

The Chairman said, that it appeared from what had fallen from Mr. Parker, that of the two questions before the meeting, the bonus of 18 or 19 lakhs, and the compensation to past shippers, the first was definitely settled by the resolution of Government; the second was the only one now open for discussion. The Committee had prepared a scheme which should be produced. It would, however, be proper to determine, first, how the votes should be taken; he presumed, that no person ought to vote who was not bonâ fide interested in the trade. Hereupon, a little discussion ensued, in which Mr. Cockerell, Mr Parker and one or two other gentlemen took part, and it was ruled by the Chairman, in concurrence with Mr. Parker, that the right of voting should not be limited to those who had signed the petition; but that all persons interested in the trade as principals or agents, might give their opinions.

Mr. Braine then read the Committee's plan, which commenced by showing the impracticability of distinguishing what Opium was sold and what unsold in China, and assigned that reason, and also the wishes of the principal shippers who had been consulted upon the question, for suggesting that an equal sum per chest should be given upon all Opium shipped to China before the 1st of August, which sum they conceived the ten lakhs would warrant them in fixing at 150 Rs. per chest; and that the same amount should be refunded on all Opium shipped to the Straits after the 1st may, and also, on all Opium re-shipped from the Straits to China.

Three resolutions to this effect having been read by Mr. Braine, and the Chairman having suggested, that they should be put separately, Mr. Cockerell said he thought this a hasty mode of proceeding; that the Petition had never been sent to him for signature; that he knew nothing of these resolutions, and required time to consider their effect. Mr. Braine observed, that the petition having been drawn up by himself, it was necessary for him to explain, that his reason for not sending it to Mr Cockerell was, that he considered it useless to do so, Mr. C. having declared it was absurd to ask Government to indemnify people for bad speculations. [N. P. The following Resolutions were then proposed and carried by large majorities:

Moved by James Stewart, Esq., and seconded by Rustomjee Cowasjee, Esq.

1*st Resolution*.—That as it is admitted to be impracticable to ascertain what Opium shipped to China may be acually on hand, it be proposed to Government to award 150 Rs. per chest to all shipments of the January February and March sales from 1st January to 31st July.

Moved by Mr. Lackersteen, and seconded by Mr. McDonald.

2d Resolution,—That as Government state most distinctly they cannot allow any return to parties who are known to have actually sold their Opium, and as it is known that none remained on hand in the Straits on 1st June, it be proposed to give all the shippers of January, February and March sales to the Straits 150 rupees per chest on all shipments since 1st May, thus putting all ... who may have Opium on hand on the same footing as the shippers to China.

Moved by Mr. Cragg, and seconded by Mr Mackay.

3d Resolution,—That as it is possible some of the Opium shipped to the Straits may have been trans-shipped from those places for China, it be proposed that any Opium which it may be proved to the satisfaction of the Board has been so trans-shipped prior to the arrival of despatches now to be sent, be placed on the same footing as the shipments direct from Calcutta to China, that is, to receive 150 Rs. per chest on the January, February, and March sales.

That the Government be recommended to reserve Rs. ,000 to meet said claims.

Protest applicable to the three first resolutions. Moved by W. Fergusson, seconded by Mr. Cockerell.

"That as it is proposed to give 150 rupees per chest on all Opium shipped to China from the 1st of January to the 31st July, whether sold or not, it is fair and equitable to give the same bonus to what has been shipped to other parts, though sold like a portion of what has been sent to China.

This amendment was moved immediately after the 1st resolution, but not pressed to a division, Mr. Cockerell observing that of course it would have little support at the present meeting. A suggestion from the chair was therefore adopted, that it should be signed as a Protest, and Mr. Parker promised to send it up to Government with the resolutions.

Moved by Mr. Charles Lyall, and seconded by Mr. Dow, and carried *nem. con.*

4th Resolution,—That in case the sum of 10 lakhs allotted by Government, after reserving a sufficiency to meet the claims referred to in the 3d resolution, be not adequate to a refund of 150 Rs. per chest for January, February, and March sales, a rateable deduction be made from all.

Mr. Parker here observed that no notice had been taken of the graduated scheme recommended by Government; upon which, the following resolution was moved by Rustomjee Cowasjee, Esq., seconded by Mr. Lyall, and carried *nem. con.*

5th Resolution,—That in consequence of the above resolutions having been carried, it is deemed unnecessary to entertain the graduated scheme.

At the suggestion of Mr. Parker, the following was moved by Rustomjee Cowasjee, Esq., seconded by Mr. James Stuart, and carried.

6th Resolution,—That instead of refunds on account of past shipments being made in money, they shall be given in transferable certificates, which shall be received by the Board in payment for the Opium still uncleared from the godowns, according to the amount shewn in each certificate. In the event of a certificate not being brought into the Board in payment for Opium by the 30th November next, the Board will discharge the sum specified in such certificate on presentation.

Amendment moved by Mr. Dearie, seconded by Mr. Manuk, and negatived.

"That such purchasers who have no Opium now to clear be paid the amount of the refund that may be due to them in cash."

Moved by Mr. Braine, seconded by Baboo Dwarkanauth Tagore.

7th Resolution,—That the return upon Opium actually shipped be in all cases made to the shipper, under guarantee to settle with the parties beneficially interested. *Nem. con.*

Moved by Mr. James Stewart, seconded by Rustomjee Cowasjee, Esq., and carried unanimously.

8th Resolution,—That the thanks of this Meeting are due to the Government for their liberal consideration of the existing state of the Opium market.

Thanks were then voted to the chairman, and the Meeting broke up.—*Calcutta Courier, August 16.*

We hear that a special Meeting of the Chamber of Commerce is to be held on Saturday to take into consideration the proceedings of yesterday.

There was also a Meeting in the Chamber's room this morning, of some of the Opium merchants, for the purpose of preparing in an extended form the Protest moved and seconded yesterday by Mr. Wm. Fergusson and Mr. Cockerell, and it was agreed, that the following gentlemen should act as a Committee to draw it up. Mr. Cockerell, Mr. W. Fergusson, Mr. Harding, Mr. N. Alexander, Mr. Muller and Mr. Apear. Our readers are aware that the Protest of the dissentients yesterday embraces only one point, which we will here repeat in the words of Mr. Fergusson's motion:—

"That as it is proposed to give 150 Rs. per chest on all opium shipped to China from the 1st of January to the 31st July, whether sold or not, it is fair and equitable to give the same bonus to what has been shipped to other parts, though sold like a portion of what has been sent to Cham."

It is scarcely necessary to observe, that the principle laid down by Government is here entirely overlooked. Government say, "we acknowledge no *right* in any class of applicants. We remit eighteen or nineteen lakhs of rupees *for our own interest* to clear the godahs, to prevent the opium of this year pressing upon that of next season, &c., in short, we give it as the most economical arrangement we can make for our own revenue; but as by this act we shall do a positive injury to *holders* of opium abroad, we will give ten lakhs more to *them*, and to *them only*." The Opium Merchants' Sub-Committee say, "we can apply your principle without difficulty to the Straits trade, as respect all shipments be-

fore the 1st of May, for we have ascertained that on the 1st of June there was no opium on hand there—all had been sold: but we can't apply it to China, for, there are no means of ascertaining what opium is entitled to be considered unsold there at any date that shall be named. We therefore beg to suggest, with the consent of the principal parties concerned, that you allow an exception as to China, and distribute the *bonus* rateably among all shippers to China without distinction." This is surely very reasonable, and we cannot conceive that it will be regarded differently in the Council Chamber. Moreover, the principle of the plan is applied also to the Straits trade, as regards all shipments subsequent to the 1st of May, about which there might be difficulties in ascertaining the exact portion sold, and the relative hardships of each case. But "no," say the framers of the protest, "if the Government plan cannot be acted upon every where, it shall not be acted upon at all." The very same party which treated all application for *relief* from bad speculations as absurd, is now applying for a *bonus* for the speculator who has sustained no loss at all; and, further, for a portion of that bonus for the Netherlands Trading Company, which receives some 300 chests annually for sale under a monopoly privilege in Java. Is the Government of British India to make ducks and drakes of the revenue in this way? to give *largesses* to foreign Companies, and to traders who have realized their speculations without loss? Would such *liberality* at all assist the object of clearing the golahs? Are the persons whom it would benefit, in the position of persons aggrieved by the measures now taking with a view to that object, the only plea on which Government recognizes any *pretension* to compensation? We are really at a loss to imagine, how the Committee will be able to dress up a document to which, they will commit their respectable signatures, having the object of yesterday's protest in view.—*Calcutta Courier, August* 17.

In our report of yesterday's Meeting, we omitted to notice a Resolution proposed by Mr. Wm. Fergusson, after the seventh Resolution, having accidentally taken no copy of it. The substance of it was an acknowledgment of the liberality of Government towards the Opium merchants, coupled with an opinion that the embarrassment in which Government found itself, had arisen out of a lax mode of treating the sale conditions which ought henceforward to be strictly enforced. Objections being made to this resolution by several persons present, on the ground that it was an ungracious way of acknowledging an act of liberality, Mr. Parker said that, as far as the Board were concerned, he was rather glad that such an opinion should be expressed by the merchants, for the Board had been embarrassed hitherto by the want of support from the merchants. The Meeting, however, would not pass a vote of thanks in so qualified a shape, and the Resolution being therefore got rid of by moving the previous question, the eighth Resolution on our list of yesterday was substituted for it.

Mr. Parker took the opportunity of explaining, that it was the intention of the Board to alter the present plan of deposits with a view to prevent the abuses that had occurred. The new plan proposed was to require every person to whom a lot was knocked down, to sign a promissory note for five hundred rupees, being ten per cent. upon a fixed valuation of 1,000 rupees per chest, for every lot of 5 chests, at the same time that he signed the sale book; these notes to be payable in cash within four days, and if not paid within that time, the lots of the defaulters to be put up again on the fifth day, and then peremptorily sold. And in lieu of requiring the deposit to be made up to 30 per cent. as at present, before a certain period, the entire amount is to be paid up in cash within thirty days, and a discount at the Government rate of interest is to be allowed to buyers who pay up before the expiration of the term. No objection was offered to this plan at the Meeting; but we doubt whether in practice it will work so well, in the matter of the deposits, as the adoption of a rule that all deposits should be paid in cash immediately after the sale on the same afternoon, which payment most of the principal buyers would in fact anticipate In that case a defaulter's lots might be re-sold the very next day, so as to give no time for jobbing in the bazar,—which will not be prevented entirely by a scheme that allows a man four days' credit to speculate upon.

Mr. Parker added, that the Merchants must prepare themselves to expect the sales of next season to amount to *nineteen thousand* Chests.—*Ibid.*

Our readers will find, in another part of our paper, an account of a Meeting of Merchants opposed to the resolutions, which were passed at the Board of Customs, Salt and Opium; and at which, it would seem, our late allusion to the picking of plums out of a cut-cake was fully appreciated. It is not our intention, however, on this occasion to discuss the merits of the rival claims. We think there is some imprudence in agitating them at all; open your mouth, and shut your eyes, and take what the gods give you, is sound as well as antient advice. Our present purpose is to question the accuracy of the views of Government on the financial bearings of the case. "Indulgence," "liberality," "meritorious class," "imprudent speculation, &c., &c.," on which our evening cotemporary has so eloquently, but unsuccessfully dwelt, are all unceremoniously thrown overboard by the Government. They adopt "silex's" grin, and candidly tell the petitioners, "we care not a rush-light, whether you have lost or won, our only object is to get rid of the opium with the least loss to ourselves." It is true that in a part of the propositions, there is a practical contradiction to these professions;

and, we think, the Bombay holders of Malwa have a good case to drive the wedge home; but, let that pass for the present.

If we have not made some strange error, it appears to us clear as noon-day, that had the Government adhered rigidly to the conditions of the sale, the revenue would have been the gainer.

Supposing all the Opium of the season to be paid for according to the terms of the sale, the proceeds in round numbers would be	2,56,00,000
Grant by Government.....	30,00,000
	2,26,00,000
Deduct 900 chests, for which there has been no deposit— loss by resale at 500 rupees per chest..	4,50,000
	2,21,50,000
Cost of production of 17,000 chests say at 300....	51,00,000
Net Revenue.....	1,70,50,000
By adhering to the conditions of the sale, the result would have been	
7,960 chests paid for.....	1,30,00,000
Thirty per cent. deposit on 8,348 chests forfeited	37,00,000
Re-sale of 9,200 chests at 1,000 per chest.....	92,00,000
	2,59,00,000
Deduct cost of production as before.....	51,00,000
Net Revenue.....	2,08,00,000

We will suppose, however, that 9,200 chests thrown upon the market, in the face of the stock at Luttin, would not yield more than 700 rupees per chest, the revenue after deducting between 1,000 rupees and 700 rupees would be 1,80,40,000, or about 10 lakhs more than by the present arrangement. If we have made an inaccurate calculation of any moment, we shall be glad to be put right by the *Courier*, who, we are aware, is an adept at figures.—*Hurkaru, August* 18.

OPIUM MEETING AT THE EXCHANGE.

In consequence of a notice in the *Exchange Gazette* in these words, "a meeting of those parties, interested in the opium trade, who dissented from the resolutions as proposed at the meeting held this-day, at the Office of the Board of Customs, Salt and Opium, is requested at the Chamber of Commerce, to-morrow, the 17th instant, at 10 o'clock, A. M., precisely. Calcutta, 16th of August, 1837." Several mercantile gentlemen attended; but, as became obvious, with totally different views and opinions, and an attempt was made to "burke" the meeting altogether.

It was contended, in the first place, that it was irregular to call any meeting at the Chamber of Commerce, otherwise than through the Secretary under the sanction of the Committee, or at the requisition of a certain number of members and more especially a meeting, at which persons not members, might, under the terms of the notice, attend; and, secondly, that a meeting so summoned was calculated to convey an impression to the Government that the Chamber of Commerce, as a body, were opposed to the resolutions passed at the Board of Customs, Salt and Opium.

These objections were met, and we think satisfactorily, by showing that there was no rule to prevent meetings at the Chamber of Commerce, which were connected with objects of even partial interest, and that in practise, as in the case of the committee of Bonded Ware-house Association, such meetings did take place and were open to persons not members of the Chambers.

That the locality of the Chamber of Commerce was selected as more generally convenient, and that it was an over-strained interpretation to confound the mere abode with the occupant, the stable with the horse; and that virtually there was no difference between a meeting of the dissentients there or at any private house.

That in the meetings held for framing and carrying on the negotiations on the opium re-lief-petition, the dissentients were neither invited nor did they intrude themselves; and, consequently, they were not prepared for the interruption of parties in the opposite interest, nor expected they should take any part in the present proceedings, although there was not the slightest objection to their being spectators of what might pass, the utmost publicity being acceptable to the dissentients.

After a long and animated discussion, at which, as we have before had occasion to observe in all Calcutta meetings, the talkers outnumbered the hearers in the proportion of 10 to 1, the rival parties seemed to adopt something in the shape of a compromise. At least each followed its own objects.

The dissentients, Mr. Cockerell in the chair, passed the following resolution, proposed by Mr. N. Alexander and seconded by Mr. Martin.

"That the following Committee be appointed to draw up a dissent to the proposition submitted to the opium meeting of yesterday; and that the Committee be instructed to draw up a protest against the partial and unjust division of the "bonus" given by Government; and to request that the same be equally apportioned among all shippers from Calcutta.

Mr. Cockerell,	Mr. Harding,
Mr. Fergusson,	Mr. Alexander,
Mr. Apcar,	Mr. Muller.

The gentlemen, whose interests were more closely connected with China, and comparatively indifferent to the Singapore and Java trade, signed the following requisition to call a meeting of the Chamber of Commerce.

To J. Cullen, Esq.

Vice President of the Chamber of Commerce.

Sir,—We the undersigned members, request you will be pleased to call a Special Meeting of the Chamber, on Saturday next, at 11 o'clock, upon the subject of the late Opium Question.

J. Cragg.	W. Prinsep.
J. D. Dow.	J. S. Stopford.
Wm. Bruce.	RustomjeeCowasjee.
C. Lyall.	Nathl. Alexander.
W. S. Smith.	J. B. Higginson.
G. U. Adam.	

[*Ibid.*

To the Editor of the Bengal Hurkaru.

Dear Mr. Editor,—I perceive there has commenced a new era in finance. We are told, that Government has been induced to open its treasury to save gambling speculators from the natural consequences of their cupidity and folly, with a view to protect their revenue. Surely this must be Irish political economy, that would squander away 30 lacks of rupees to secure the sale of a certain number of chests of opium! Would it not be wise to allow the markets to regulate the matter? Would it not have been correct to have re-sold the opium, and then to have regulated our future sales by the demand? Is it wise to disthain our great landholders, having first protected their tenants against their legal demands? How many years' half batta, is contained in this princely gift to the gambling merchants of Calcutta! Can you name the individuals who will benefit by this wise measure of our Indian Government? Are we not arrived at Halcyon days? Erostratus is remembered by the destruction of the temple of Diana. The names of other distinguished individuals will go down to our Indian posterity, coupled with this new discovery in finance. It may be true that each extreme produces the like effect. Plague take the stars; they are in this, as in most things, the cause of the mischief.

Yours,

August 17, 1837 GINGER.

[*Ibid.*

To the Editor of the Bengal Hurkaru.

Sir,—On behalf of myself and all of my fellow countrymen, (poor Cohen included) who have been dabbling in the drug, allow me imprimis to offer my warmest thanks for the straight-forward and independent part you have taken in the late opium discussions, and for the various spicy articles, as Jonathan could call them, that have appeared in your editorials on that subject.

At an early stage of the proceedings, when the business began to be agitated, I was under an impression, that both you and your cotemporary were writing under some erroneous impression, or for the purpose of merely filling your columns with something, in the absence of Europe or other interesting news. This impression was the stronger in my mind, seeing that *dear Stocquey*, was writing against the interests of a party, who, all the world knows, can command him. However, the plot thickened, Stocquey, as usual, shuffled and latterly backed out altogether; and now the matter has been pretty fully discussed.

My present object in writing is, touching the late meeting at the Board of Customs. I was busy and could not attend, but I have heard the result; viz., that in proportion as the parties who purchased the Government opium were defaulters, in the same ratio are they to receive indulgence and favor from the Government. Such being the state of things, or, as they call it, *the general principal of appropriation*, so far as any claim of mine goes, I am kept out of sight altogether; being one of those purchasers who paid for and cleared my lots a few days after the sale, and shipped the same to Singapore and Penang. In other words, Mr. Editor, I went to the sale with *cash* in hand, (God knows, all that I had in the world,) purchased the lots, paid for the same, and shipped them off; *therefore*, I come not in for the indemnification.

I grumble not at this, because, if his Lordship in Council thinks proper to prop up a parcel of gamblers, let him by all means do so. The Court of Directors are the parties to whom he must render an account current of his stewardship.

But one remark will I make here, and that is, that if the appropriation had been dealt out equitably, not only would those parties who fulfilled to the letter the conditions of sale have had the preference over defaulters, but they should have been allowed *interest on the amount of the purchases from the time they were so cleared up to this date.* But since the passing of the Black Act, things have proceeded by an inverse ratio, well described by one of your poetical contributors:

> "Be it enacted, and the law enforce,
> The cart in future shall precede the horse."

But I have diverged from the main object I had in view. The consideration of such proceedings is enough to muddle any one's brains.

My object was to speak a word in favor of my friend and fellow countryman Cohen—poor Cohen, who has been diddled by the Company, even according to their own strict idea of justice, to the tune of Co. rupees 2,70,000, the reimbursement he was entitled to, on account of the 900 chests they cancelled, I understand, *without his authority.*

Now, according to their own principle of the greatest defaulter being entitled to most consideration, I should say, that my friend Cohen is entitled to more than any one of them.

Thus, purchasers, who cleared and shipped to Singapore and Penang get *nothing!*

Purchasers who cleared and shipped to China get 150 per chest!!

Purchasers who paid only deposit and who have not cleared, are to get 300 rupees per chest!!!

These last greatest defaulters are according to the new principle the best reimbursed. Now, my friend, Cohen, I maintain, has as far as defaulting goes, beat them all hollow; for he did not even go the length of paying deposit. I think, therefore, under the circumstances, that, if you'll take the matter up editorially, arguing upon the governments' own principles, something handsome would be done for Cohen. Say, they gave him 500 rupees per chest, (a small enough reward for such a wholehog government man, *alias* defaulter,) or Co.'s rupees 4,50,000. This, I am sure, is not asking too much, and I feel satisfied, that my friend's case will not be neglected by the wise and liberal nobleman at present at the head of affairs.

I am, Sir, yours obediently,

TOBIAS, OF THE TRIBE OF ISRAEL.

Calcutta, 17th August, 1837.

P. S.—With all the indulgence granted, I find there is still a sum of about Co.'s rupees 60,00,000, to be paid by said defaulters before December next. Will Muddle-brains, Razor-nib and Co., fork out this amount? or will they answer the Government as the summons' serving clerk of Dodson and Fog answered my friend Pickwick, by placing their left thumb on the point of their nose, and turning round with their right hand an imaginary coffee mill? If they follow the latter course, they are sure of further concessions. —*Ibid.*

We have good authority for stating that Mr. Apcar's name has been affixed without his consent to the published list of the Opium Protest Committee.

A correspondent complains of the exclusion of the June sale opium from any portion of the compensation, under the scheme submitted by the meeting. If we must guess the reason for it, we should infer that the exclusion of that sale was adopted in order to make the principle of distribution for the bonus on past shipments accord, with the principle adopted in the unequal rates of abatement on Opium remaining here, which rates are 300 Rs. per chest on the three first sales, and 150 Rs. upon the June sale; so that, by the scheme proposed, the same advantage of 150 is given to the former Opium, whether shipped or unshipped, on the plea of its having cost more than that sum in excess of the June sale prices. We have all along said, that a rateable distribution, either of one fixed sum per chest or of a common per centage, as recommended by Government, seemed to us more fair, because the inequalities of price were the natural effects of the system of auction sales, which mode of selling the opium in Calcutta there was no intention to change; and, if the buyers at the June sale gave less than those who bought before, they had the disadvantage of a later and more overstocked market; and though they did not purchase under the same delusion with respect to the Chinese edicts as the buyers at the other sales, the prices even in June were kept up indirectly by the same cause, that is, they were kept up by the desperate bids of persons determined to support their previous purchases as much as possible, and, consequently, the *bonâ fide* purchaser for immediate shipment paid considerably more than he would have done, but for the effect of those bids; and such persons may reasonably say, that if their market is spoiled by the forced exports now about to take place, they are entitled to *some* consideration along with the rest of the previous shippers. Still, if a very large majority prefer the scale now sent up to Government, it should not be set aside because it may affect one or two persons unfavorably; for it will be found impracticable, to lay down a plan that shall give every person his equitable proportion, neither more nor less, the relative equity in each case being compounded of various circumstances not admitting of complete discovery, much less of easy and exact computation.—*Calcutta Courier, August* 18.

Some very smart correspondent of the *Hurkaru*, following up the editorial appeal in that paper on behalf of "poor Cohen," would have the Company make that gentleman a present of four lakhs and a half of rupees, upon the principle that the greater the default the more the bonus given. The ingenious writer, to be consistent, should have taken the four and a half lakhs out of the bonus that will be given to shippers who have not been defaulters. The total amount for distribution being fixed, he should appeal, not to Government, but to the Protest Committee, to let in his "friend and fellow countryman Cohen" to share with their other protegés who have lost nothing. There are, however, two mistakes of some importance in the assertions of the *Hurkaru's* correspondent relative to Mr. Cohen's case; first, it is not true that his purchases were cancelled "*without his authority*," Mr. Cohen having sent in a written petition to the Board, begging that his lots might be cancelled and resigning all claims upon them in any shape; and, secondly, if Mr. Cohen were replaced in his former position, he would be a great loser still, in spite of the bonus of 300 Rs. per chest, instead of a gainer to that amount. To what a pitch must party spirit be carried, when it blinds a writer so much that he mistakes an abatement of price allowed on a falling market, for a net profit on the original purchase!

Not much more accurate is the *Hurkaru's* editorial in the estimate presented to-day, to shew that Government would have made less sacrifice by forfeiting the deposits on uncleared lots and proceeding to a forced resale,

rather than by compounding with the buyers as it is now doing. The Opium liable to such forfeiture is taken at 7,960 chests, whereas but 7,541 chests altogether remained in store on the 12th August, (besides the 900 chests cancelled); but excluding the Opium of June, which amounts to more than half the quantity, and is not yet liable to forfeiture for non-clearance, the quantity was but 3,560 chests, from which must be deducted 739 chests of the January sale, all paid up. It is not worth while to go into other parts of the calculation; but we must compliment our brother upon having discovered that the arrangements of Government have not reduced the Opium revenue of the year quite so low as he stated last week: there is a small difference of a crore and a half or so between his two estimates.—*Ibid.*

To the Editor of the Calcutta Courier.

Dear Sir,—I observe in the papers that the first resolution adopted by the Opium Meeting of the 16th, provides for all shipments to China of the three first sales' opium to receive a bonus of 150 rs. a chest, thus excluding all those of the last or June sale which are as much likely to be affected when the news of this remission arrives at China as those of the former sales. I cannot conceive upon what grounds this exclusion has been made, unless it were for the benefit of those shippers who have all their June sales' opium in the godowns here. If it be presumed that opium shipped to China of the June sale will not meet with a bad market, those who entertain that opinion will find themselves most agregiously mistaken as there is no doubt that prices will have fallen considerably at China when the news of the last sale having averaged about 200 rs. lower than the former sales will have arrived there. It is obvious Government at first intended to remit 300 rs. or 15 per cent. a chest on all the opium of the four sales without distinction, but the Committee recommended a reduction 150 rs. on the June sale which was afterwards adopted. When Government are relieving the purchasers here of the last sales' opium equally with those of the three former, I do not see why the shippers of that sale should be excluded. As one of those who have shipped opium of the last sale to China, I must strongly object to the resolution alluded to; I wonder it has not struck you, Mr Edtor, whom all the mercantile community look upon as the most able advocate of their interests, to speak in favour of those in the situation of.

Yours sincerely,

18th *August*, 1837. A.

(*Ibid.*

The meeting convened by advertisement yesday morning, "of those parties, interested in the opium trade, who dissented from the resolutions as proposed at the meeting held" the previous day, promised, at the commencement to be more than usually stormy. It appeared, that the gentlemen who took the most active part at the meeting the day before yesterday, and assented to the resolutions then carried, entirely misunderstood the advertisement convening the present one; and, the consequence was, that some time before the chair was taken, much discussion took place as to the right of parties to be present, the propriety of holding a meeting of the description in the Chamber of Commerce, &c. &c. At one time such serious interruption arose to the proceedings, that Mr. N. Alexander moved an adjournment to the Office of Messrs. Cockerell and Co. Mr. Braine insisted that, as this meeting was called in the Chamber of Commerce, all parties had a right to be present; Mr. Cockerell, on the contrary, was quite clear, that Mr. Braine, who is not a member of the Chamber, ought not to have entered the room. After much discussion, the following resolution proposed by Mr. Alexander, and seconded by Mr. Martin, was put and carried:—

"That the following committee be appointed to draw up a protest to the proposition submitted to the opium meeting yesterday, and that the committee be entrusted to draw up their protest against the unjust and partial division of the bonus given by the Government, and to request that same may be equally proportioned among all shippers from Calcutta:—

Mr. R. H. Cockerell, Mr. W. F. Fergusson, Mr. Muller, Mr. Apcar, Mr. Alexander, and Mr. Harding.—*Englishman*, *August* 18.

The *Courier*, in amending his report on the opium meeting, stated that the new plan of sales mentioned by Mr. Parker, as about to be adopted by the Board, would differ from the old, in requiring a promissory note from each purchaser for ten per cent. of the amount of his purchases, on a fixed value of 1,000 per chest, on his requiring the sale book and the balance to be paid up within thirty days. On referring, however, to the government advertisement of a re-sale of opium to be held this day, (the 19th) we find the conditions to be the payment of ten per cent. on the price of each lot, *in money or public securities* not in promissory notes, before the lot is entered in the sale book. The deposit to be completed to 30 per cent. within ten days of the sale under penalty of forfeiture of the first deposit, and the whole purchase money to be paid up within one calendar month from the day of sale. These conditions differ from those mentioned by the *Courier* as to cash or government securities being required instead of promissory notes. We must, therefore, either suppose that Mr. Parker's statement was misunderstood by our contemporary, or that the present plan is not a permanent one, and that some further change is contemplated. We observe that Mr. Parker warned the merchants to expect nineteen thousand chests of opium for next season. They ought to thank him for this

warning, but in our opinion it would be much better to publish *as early as possible* an official notice of the quantity to be brought forward and the dates and conditions of the sales, specifying the exact quantity to be put up at all except the last, which might be left uncertain in case the exact number of chests cannot be ascertained at this season. We understand there is to be a meeting of the Chamber of Commerce to-day in order to address government on the subject of these sales, and we strongly recommend the merchants to urge the importance of early publicity and a strict adherence to whatever is announced. The mercantile public is more interested in these sales than may be at first supposed, for their tendency of the present irregular system, is to derange the money market, and consequently to affect all commercial operations whatever. The whole mercantile body has therefore a clear interest in entreating the government to act on an uniform, public, and preconcerted plan, so that no one can complain of being injured by unexpected hardship to himself or equally unexpected indulgence to his neighbours Great alterations from high to low and from low again to high prices, are the harvest of the well informed speculators, but the ruin of the regular trader; and, therefore, as the government professes its desire to support its constant costomers and proves its sincerity by the liberal donation of 30 lakhs, we may fairly infer that no misrepresentation from any quarter will be allowed to stand in the way of the adoption of that fair, open and undeviating plan of sales which we have recommended. The number of sales and the quantity at each must of course be left very much to the discretion of the Board, and though for many reasons, we think a considerable increase in the number, and an equalization of the quantity put up at each would be preferable, yet we would not so much insist upon this as upon a strict adherence to the scheme (to use a lottery word) for the season.

One word to our *Hurkaru* contemporary at parting. A few days ago, he asserted that we were commanded to be silent; we challenged him to the proof—he remained totally silent, and thus tacitly acknowledged the deliberate falsehood of his assertion. Yet, thus self-condemned, he has the meanness to suffer the same charge to be repeated under the disguise of a correspondent, who states himself to be of the tribe of Israel, or, we suppose in plain English, *an usurer*. This writer says, that the *Englishman* was writing against the interest of a party "*who all the world knows can command him*," Now we repeat the challenge given to *Samuel*, and call upon this veracious writer, whether a member of the "fortunate family," or a real Hebrew, to *name* the parties who can command us, or to remain marked with the same brush which has already disfigured the Editor of the *Hurkaru*.—*Englishman, August* 19.

We attended this morning at the Exchange Rooms, expecting a very crowded Meeting of the Chamber of Commerce upon the Opium question, but were informed that a standing order of the Chamber would be adhered to not to admit reporters. (By the bye, this standing order is rather inconsistent with the prevailing rule of publicity, which institutions less of a public character have adopted of late: the doors of the Chamber should be open at all General Meetings, and shut only when Committees are sitting; and, perhaps, also, when the members hold their ordinary weekly Meetings.) We have therefore only been able to gather the result of the proceedings from hearsay. The meeting was a crowded one, and many natives and others were present who were not subscribers. Mr. Lindsay made a speech of some length, in which he entered into various details in justification of the measure of relief granted to the opium trade, and upheld the mode of distribution recommended for the ten lakhs. He was, however, stopt by Mr. Cockerell with an objection, that the composition which Government had made with the opium buyers was a matter the Chamb had nothing to do with, and the Chamber had no information thereof. To remove the objection of form, Mr. Wm. Prinsep, seconded by Mr. Stopford, moved that the Opium Committee should be requested to produce the Opium petition and all the papers connected with it. To this Resolution an amendment was moved by Mr. Harding, seconded by Mr. Syers, declearing it to be inexpedient to entertain the question at all in the Chamber, as by doing so they would only furnish a precedent for making the Chamber an instrument for party purposes; but that the manner in which the sales should hereafter be conducted, was a proper subject for the attention of the Chamber, and that the proposed changes in the system should be examined by a Committee, when promulgated. A show of hands being taken upon the amendment, it was carried (we are told) by 28 to 18, without dividing the Members in the room, who, probably, were twice as many as the aggregate of these numbers. A resolution was then proposed by Mr. Bruce, seconded by Mr. James Stewart, embracing a vote of thanks to Government for its liberality to the Opium merchants, and expressing an opinion that both the mode of relief and the plan of distribution were the best that could be adopted. This was met by an amendment moved by Mr. Dearie, seconded by Mr. Syers, that the meeting should ajourn *sine die*, which amendment was carried.

We are not at all surprised at the defeat of the requisitionists: they lost the day by want of tact: not content with a very complete triumph elsewhere, they chose to break a lance against a windmill, and to ask an expression of opinions from the Chamber of Commerce, which the Chamber might very reasonably refuse to give. This would be the view taken by many persons who might approve of the measure of relief, both in its principle and in its details.

We hear that the Protest of the dissentients was receiving signatures this morning, and was to be sent in to-day.—*Calcutta Courier, August* 19.

The meeting of the Chamber of Commerce, which was called to consider the opium *bonus*, took place on Sunday, when a proposal was made that the Government should be thanked for its liberality to the purchasers at the late sales. To this, it was objected, that the Chamber had no knowledge of the transactions, had not been consulted by the petitioners, nor had any communication with them on the subject. Another proposition was then brought forward, that all the papers relative to the late application to Government be submitted to the Chamber. An amendment to this was moved and carried by a large majority, to the effect that the chamber as a body had no concern with the relief afforded by Government to the speculators, but that the management of the monopoly and the mode of conducting the sales are proper subjects for the consideration of the Chamber, and that their committee, as soon as the new plan, which is understood to be in preparation by the Board of Opium, shall be made public, be instructed to examine and report upon it. After this resolution had passed, a second attempt to get up a vote of thanks to Government was made, which was met by an amendment that the meeting adjourn *sine die*, which was also carried by a large majority. By these resolutions the Chamber, we understand, merely decline interfering in a matter on which they have not been consulted, and approving of a petition which has been studiously kept secret, not having been shewn even to persons interested in the opium trade, whose opinions it was supposed might differ from those who drafted the petition. There is no doubt that unanimity on such an occasion was important, but it would have been a better course, we think, to have agreed as to the main facts and then to have appointed a committee to draw up the petition, which might all have been done in one day. But after preferring secrecy, it was a singular proceeding to call a meeting of a public body like the Chamber of Commerce, which represents the whole commercial interests of Bengal, and to ask them to support by vote a petition, the prayer of which had been already granted, and to give thanks to Government for a liberality from a participation in which the movers of thanks were attempting to exclude a number of those whose votes they expected on the occasion. We are informed that a large majority of the Chamber, though they object strongly to the mode in which the opium monopoly has been conducted, think that the relief given by Government was well timed and judicious, and that under the circumstances of the season, no better course could have been adopted either for the interests of the revenue, or those of the speculators. But they think that the very necessity of such a proceeding is the strongest possible argument against the continuance of a system which requires such interference, and they are looking with some anxiety for the expected plan of the Board. This, we understand, does contemplate the payment of a deposit by promissory notes, as stated in the *Courier*, though the advertised re-sale (which, by the bye, did not take place on Saturday,) did not offer this facility. We can see no objection to promissory notes payable on demand, as a payment in the sale room in cash would be attended with considerable inconvenience and some risk. What is wanted is not so much any particular mode of selling, as a strict adherence to the conditions, whatever they may be, without favor or affection. We shall return to this subject whenever the plan proposed by the Board of opium is made public, as we consider that it is of very considerable importance to the commerce of the port.—*Englishman, Aug.* 21.

A numerous meeting of the Chamber of Commerce took place on Saturday morning, to take into consideration the late Opium question, in pursuance of the requisition we published on Friday morning; but as by the rules of the Chamber, reporters are not admitted, we are unable to give a detailed account of what passed. We hope, however, before we go to Press, we may be furnished with the resolutions. In the mean time it is understood that the Chamber declined to entertain any proposition for expressing an opinion on the conduct of Government in relation to the late opium transactions; but instructed the Committee of Correspondence to report on any plan proceeding from the Board of Customs, Salt and Opium, for the future management of the opium sales.

If we may be permitted to offer an opinion, it seems to us that the Chamber has acted with great good sense and firmness in abstaining from all interference in a question pending between the Government and the parties immediately interested in the Opium petition, and on which and its results the latter are divided themselves. It could not have interfered without in some measure becoming the advocates of one party or the other, and thus letting in a principle of division and partizanship on points, not of general but personal consideration; and the door once opened, it would be very difficult to shut it again. Each individual complainant on each individual grievance, would appeal to the Chamber, and it would soon be converted into an arena for party purposes, and lose all its weight as a body representing widely and impartially the aggregate commercial interests.—*Hurkaru, August* 21.

Our evening contemporary disputes our calculation of 7,000 uncleared chests of opium, but if we are incorrect the "dear deciever" has himself seduced us into the error. We trusted in a great degree to his own statement, but

aware that lovers' vows are somewhat exaggerated, we did venture to strike off a few chests, as will be seen by the following paragraph from his leader of the 12th instant. "The consulting triumvirate are very seriously apprehensive that a sufficiency of funds will not be forthcoming to *clear out* the Opium in store (739 chests of the January sale, 1442 of February, 1699 of March and 4500 of June, 2380 chests, exclusive of 900 chests of cancelled lots) unless a much larger sum than is asked for is rendered available by reduction of price, or in some other shape." Now, we with all deference submit, that the words in italics convey to common ears the impression that the 8,380 chests were all imprisoned under the same circumstances, and that the tone of the paragraph was indicative of the actual forfeiture or liability to forfeiture of the whole, unless the assistance of Government were given.

The 739 chests of the January sale may have been since paid up for any thing we know to the contrary. We are not behind the curtain, nor do we profess to be in the secret. We can only argue upon what our cotemporary, whose means of information are undeniable, condescends to communicate, and he ought not in charity to twit us for inaccuracies of his own begetting. The whole thing from first to last, the petition, the discussions in Council, the communication between the Board and the triumvirate, have been too much of a "hole and corner" complexion to enable the uninitiated to draw unexceptionable conclusions. We can only repeat, under such circumstances, the general rumours of the day; and when we made our former calculation on the effect of the Government measures on the Revenue, it was understood, that the sale of the uncleared opium was to be cancelled altogether and shippers were to receive compensation on all paid for.

Our figures, therefore, were quite correspondent to our promises, as they are now indeed unless our cotemporary is himself ignorant of what deposits have been made and what not. Far be it from us to assert, after the case of Mr. Cohen's 900 chests, that there is a price in hand for any uncleared lot, but we pin our faith on his representation.—*Ibid.*

THE OPIUM PROTEST.

2d *Resolution*,—"That as Government state most distinctly they cannot allow any return to parties who are known to have actually sold their opium, and as it is known that none remained on hand in the Straits on 1st June; it be proposed to give all the shippers of January, February, and March sales to the Straits 150 Rs. per chest on all shipments since 1st May, thus putting all those who may have opium on hand on the same footing as the shippers to China."

The portion of this resolution which excludes opium shipped to any other place except China, previous to the first of May, is founded on the production of a *Singapore Chronicle* of the 1st June, which states that on that date, no opium existed in that market unsold.

The undersigned dissent from the correctness of this conclusion for the following reasons:

1st. Because Singapore is not the only opium market besides China.

2d. Because Singapore is a Depôt from whence opium is distributed over the whole Eastern Archipelago.

3d. Because Penang, Malacca and Java, more important markets for the consumption of the drug, have been excluded from all consideration.

4th. Because the same description of evidence on which that part of the resolution which excludes the Straits is founded, can be assumed with reference to a considerable portion of the Bengal opium in China.

The resolution to which the undersigned allude is as follows:

"That as it is admitted to be impracticable to ascertain what opium shipped to China may actually be on hand, it be proposed to Government to award 150 Rs. per chest to all shipments of the January, February, and March sales, from 1st January to 31st July."

The undersigned dissent from the correctness of this conclusion for the following reasons.

Because, by the last advices from Canton a portion of the opium proposed to be included in this resolution has been sold as per Canton Price Current.

Because, by the last advices an active trade was carrying on in the Yellow Sea, and accounts of positive sales and returns of specie to Canton have been received in Calcutta.

Because, before the advices of the present measures of Government can reach Canton, a further portion of opium must be beyond the reach of competition, and therfore on the principle laid down by these resolutions as little entitled to benefit by the boon from Government as the opium assumed to have been disposed of in the Straits.

The undersigned do not, however, rest their dissent to the partial distribution of the funds on these grounds alone.

They believe that the principle on which Government are disposed to afford relief to the shippers of opium since 1st January, 1837, has no relation whatever to the outturn of the speculation, that they care not whether the buyer closes his accounts with a loss or a gain; all the Government profess to look to is, the revenue arising from opium, which they think will be prospectively benefitted by a certain concession of money.

Government have accordingly fixed two definate sums, to be disposed of in about the proportion of one-third on the opium already shipped, and two-thirds on that which remains uncleared.

It appears, therfore, to the undersigned that the intention of Government can only be

fairly carried into effect, by confining the question of appropriation to Calcutta alone, and including every chest of the present year's opium in the measure of relief.

The undersigned consider the scale and partial distribution as wrong in principle as turning a question of revenue into one of commercial relief, and opposed to the views and intentions of Government, who can only avoid the commercial question by declining altogether to consider the profit and loss of sales of opium in foreign countries.

The undersigned beg respectfully to submit that Government dealing with the question as connected with revenue of the country alone, should without reference to time or place direct that the sum to be appropriated to opium already shipped, should be divided rateably amongst the parties who cleared it out, and that the remaining sum be appropriated as recommended by the Board of Salt and Opium.

Calcutta, 18*th August*. [*Ibid.*

We are now enabled to publish the protest of the dissenters on the Opium question, but have not been furnished with a list of the signatures it bears. Our anticipations were never more completely fulfilled: there is not a shadow of an argument in it—even the *Hukuru* can say nothing in its favour. The document is full of dissatisfaction, and that is all. Government is told it must not assume the non-existance of Opium unsold on the 1st of June, upon the faith of the *Singapore Chronicle*, "because Singapore is a depôt from whence Opium is distributed over the whole Eastern Archipelago." Well, that is the reason why it happens that the Opium was all sold: is it pretended that the Singapore merchants have sent it to those markets, *on their own account*, as the China merchants do to the east coast? No. Again; "because Penang, Malacca and Java (*Java!*) more important markets for the consumption of the drug, have been excluded from all consideration." Now it happens that all these places put together do not receive so much Opium as Singapore, and the consumption of the two first is a mere trifle, while the Opium trade of Java, *a foreign settlement*, is a monopoly! Can these gentlemen shew by letters or otherwise, that at Penang and Malacca there was Opium unsold which had been exported from Calcutta before the 1st of May? If they can, why don't they? They next refer to the *Canton Price Current*, as evidence that sales had been made of Bengal Opium in China. Who denies this? the difficulty is to state particulars, and hence the proposition to make no distinction with respect to the Opium sent to China. Had the *China Price Current*, like the *Singapore Chronicle*, said that all the Opium received up to a certain date had been sold, then there would be something like a parallel case between China and Singapore, and the merchants would have been required to apply to China (so far at least) the principle laid down in the Government resolutions, that Opium ascertained to have been sold, however great the loss, must be excluded from all share in the ten lakhs compensation. The protest goes on to state the belief of the subscribers, that the object of Government, in giving both the 18 or 19 lakhs and the ten lakhs, is to save the revenue from a greater loss, and, "has no relation whatever to the out-turn of the speculation." Now Government has distinctly limited the remissions made in order to get the Opium cleared off to the first of these sums only; the second is given expressly in the shape of compensation, and most assuredly not intended to reward fortunate speculators to the Straits for the good luck they have already had, and to enhance the profits of the Netherlands Trading Company's monopoly. Those who signed the protest may consider that, as agents, they are doing a duty to their constituents, just as a lawyer who has a very bad cause, will put the best face upon it and pathetically appeal to the justice of the Jury. If we are rightly informed, however, the entire stake they represent, as shippers to the Straits this year, is but 98 chests, besides 130 or 140 chests to Java.—*Ibid.*

Our correspondent NO GAMBLER, questions the accuracy of part of our report of what passed in the Chamber of Commerce on the opium question on Saturday last. We merely "told the tale as 'twas told to us" by one who, we have reason to believe, was present at the discussion, and whose accuracy we have never known impugned. However, he *may* have been wrong in some trifling particulars, and if so, it only shows how very important it is for the Chamber of Commerce to throw open its doors to properly qualified reporters, attached to the newspaper offices, or pass a resolution prohibiting members of the Chamber from communicating to a second party any thing that may have transpired within the sanctum. As long as there is no obligation to observe mystery and secrecy, members will occasionally talk of what is done in conclave commercial, and, as a matter of course, every thing they relate will find its way to the conductors of the press, avid for intelligence, and then appear in print with all the variations from original fact consequent upon a transfer from mouth to mouth.—*Englishman, August* 22.

To the Editor of the Englishman.

Dear Sir,—You remark this morning on Saturday's proceedings in the Chamber of Commerce on the subject of the "bonus" as follows:—

"We are informed that a *large majority* of the Chamber, though they object strongly to the mode in which the opium monopoly has been conducted, think that the relief given by government was well timed and *judicious*, and

that under the circumstances of the season, no better course could have been adopted either for the interests of the revenue or those of the speculators."

No doubt you have good authority for hazarding such opinions; but Burra-bazar to a Chinay orange they are not true. I know not the source whence you and your brother editor of the *Courier* have received the garbled statements of Saturday's palaver, but I love Old English fair play; and somehow the few of the Chamber's proceedings that meet the public eye, appear to me always to assume a shuffling style, as if an endeavour was made to take advantage of the rule excluding public reporters, to "burke" the truth; but, however well it may suit your informant or the editor of the *Courier*, to make it appear that the Chamber is disposed to countenance the opium proceedings, I write with confidence that no one who heard the astounding burst of laughter with which the proposal of a vote of thanks to Government was received, will agree with those worthies; in fact, the petitioners were given very plainly to understand, that they had made a mistake; and, no doubt, they are now grateful to the Chamber for passing no condemnatory resolution.

In opposition to your informant's opinion I assert, that a very large majority of the Chamber most unqualifiedly condemns the entire proceedings of the Government and the dealers: if after Saturday's decisions a doubt can exist on this fact, let it be signified to the Chamber that, before finally deciding on a matter of such importance, the opinion of the members at large would be desirable. Who ever heard of such a concession as this offered by interested parties only by means of a hole-and-corner petition? What disinterested merchant hesitates in common intercourse to express his disgust at all parties concerned in it? And what will be said of this job by our brethern in Bombay? The Malwa drug, purchased in faith of the inviolability of our Government sales, and now being disposed of at some loss, must decline proportionately with the Bengal, when news of these successful petitionings reach China; and do our worthy rulers suppose that the proprietors of such opium will submit to ruin by their acts without requiring redress? Let them rest assured, that a second bonus will be *demanded* and not *petitioned* for, (other applications failing) on the floor of the House of Commons. Many reasons might be brought to shew the impolicy of this act of interference with the natural adjustment of a trade placed in the predicament of that in opium, but their application is so obvious to commercial men as to render any enumeration unnecessary. I, therefore, only ask, what guarantee have Government that the holders

China; and so far from there being an appearance of change for the better, our advices *from all the usual sources of supply* continue most desponding. Our faithful friends at home are in the same deplorable predicament as the opium-wallahs; their silks, indigoes and cottons are equally unsaleable as opium, and equally unlikely to improve; but do they petition Government to admit their teas and sugars at half the established duties that they may get out of an ugly scrape at the expence of their neighbours? No; they say in their requests for loans on produce, "we do not request any such assistance as would tend to re-establish high prices, we only ask such as will enable us to avoid selling at this period of depression; *the losses must be borne*, but if Government agrees to assist us by loans on produce, such losses will be greatly mitigated." I quote from memory, but can give you chapter and verse if necessary. How nobly does *this* conduct contrast with proceedings here! The dealers will accept, and Government (with a most heartless and ungracious notice of rather carelessness, of who is ruined so that the monstrous revenue is instantly paid) allow, a mean advantage, in order to undersell the Bombay trade. But, in spite of this, I ask again, where is the security that the dealers are in a position to ship the 8,000 chests according to promise? Sundry unemployed clippers echo *where?*

Further, let any man prove, if he can, that the bonus will prove a benefit to holders of opium. Infinite injury may be done by it; but no benefit otherwise than problematical. I, for one, do not believe, that twice 28 lakhs will force such a demand as is required.

I conclude in the words of an influential member of the Chamber. "May Government find better reasons for giving the petitioners 28 lacs every year!" and am,

Yours truly,

NO GAMBLER.

August 21, 1837.

P. S.—What does the *Courier* mean by asserting that 92 members were present; but that only 46 voted? This is one of those paltry attempts to burke unpleasant truths, of which I complain. The votes are given nearly correctly and *all* present voted. *Ibid.*

A letter from ONE OF THE PROTESTERS advises the China party (as the *Hurkaru* now terms the original petitioners) to yield to the Straits' party, lest the latter should bring forward information to enable Government to apply its own principle of compensation to the China as well as to the Straits' trade. Another correspondent (the subject is prolific of correspondence) under the signature of A DRUG-

few hands, who form in effect a sub-monopoly. We all *feel* the scarcity of cash here and in

our saying the protest we published yesterday had not a shadow of argument in it since it stated this objection to the plan of the

China party. The objection would have been of some value if advanced to deprive parties of the bonus, whose opium they could shew to have been sold, but was (to repeat our own expression) not a shadow of an argument for letting in the Straits' people, who were known to be similarly situated. We observe that we are looked upon as champions of the China party. We are with them in this question of the bonus only, in so far as we make a diversion in their favor by repelling the preposterous pretensions of the Straits party; if the latter will change their ground, and ask for the exclusion of China Opium known to have been sold, and will at the same time suggest a feasible plan to ascertain the particulars up to a certain date, we shall at once support the proposition, and thereby assist in removing all apparent inequality between the two interests. As it now stands, the proposition to let in all shippers to the Straits after the 1st of May, would give a portion of the bonus upon at least 300 chests already known to have been sold at Penang and Singapore. But the motive of the China party for letting them in was a liberal one; it was to prevent the chance of any man being cut out, who might have any portion of his opium on hand

As for the interests of the speculators in Malwa Opium on the other side of India, for whom a writer in the *Englishman* (alluded to by a DRUGGIST) endeavors to make out a case, it is really quite absurd to suppose Government would indemnify them for any loss incident to a forced depression of prices here. It is the very game the Bengal Government has been playing all along to force the Malwa drug out of the market, if possible, by annually increasing the supply; and when the prices of the season opened so high at the January sale, it was a source of regret that this circumstance would act as a stimulus to the Malwa cultivation. The Bombay people know this very well; they know the existence of the Malwa cultivation to be a thorn in the side of the Bengal Opium monopoly, and that various schemes have been attempted at different periods to restrain it. They know that the transit of the article to Bombay is licensed only as a *pis aller*, because it would otherwise go to Demaun without paying any tribute at all to the British Government. They know that either the trade would be interdicted altogether, or it would be subjected to an equalizing duty of some five or six hundred rupees or more per chest, or it would be brought under monopoly as in Bengal, if the whole Coast line could be sealed. And why is it not? we have often asked. How does it happen that a foreign power like Portugal is allowed to hold two insignificant ports in the Gulph of Cambay, of no value except by the opportunity they afford of getting a small revenue from the Malwa opium at the cost of a hundredfold sacrifice to the revenues of British India? What principle of political justice should prevent our taking possession of Demaun and Diu, offering at the same time an ample indemnity, say twice the net revenue they yield? This would be conferring a benefit to Portugal, not doing her an injury, and never did expediency more strongly plead in favour of a measure of state.—*Calcutta Courier, August* 22.

To the Editor of the Calcutta Courier.

DEAR SIR,—If an opium dealer had taken the advice you gave his party, and rested content with the triumph they gained somewhere or other, I think he would have shewn more wisdom, than in attacking a party whom he will be obliged to fall back on, and who are his friends. He says there has been party spirit on the side of the protesters more than on the other, and he sums up our sins by a statement which I belive and hope no other man of his party would make, that we have been striving by every means to disgust Government from granting the relief we ourselves contemplated.

1st. As to our party spirit, an opium dealer is woefully ignorant of the feelings and opinions of the Chamber of Commerce, if he supposes there are but two parties in the Chamber who take an interest and voted on Saturday last on the opium question. If he had seen the letter of "NO GAMBLER," in this morning's *Englishman*, he would perhaps have thought differently. I will, however, endeavour to shew him this important fact more distinctly. The requisition for the meeting had but four signatures: it was got up by Mr. L—— one of the China party, but it bears the signature of one of the Committee of the *protestors*, Mr. A——. At the opening of the meeting a question arose, whether Mr. L——, an Honorary Member, could speak. It was a *protestor* who proposed and carried a motion allowing him to do so. Further I add, if Mr. L—— had taken the advice of ONE OF THE PROTESTORS, he would have had a far better chance of carrying the very object, which we (as your Opium dealer avers) packed a Chamber to a burke. The Chamber consists of three parties, which I may designate as follows.

1. The China Party.
2. The Straits Party.
3. The Political Economits.

If the proposal to the Chamber had not included a matter which No. 2 objected to, Nos. 1 and 2 might have joined and been a match for No. 3. I say *might* have been a match, because I think it is doubtful whether we should. The Opium dealer may be assured that, of the three parties, No. 3 is the strongest, and he need only read NO GAMBLER's letter to assure himself, that No. 1, without No. 2, had no chance whatever against them.

On what possible ground does NO GAMBLER accuse us of trying to disgust Government? Have we advanced one single word on the subject, which can by any construction bear out his assertion? Our protest has been wholly and solely against the division of the bonus, proposed by the committee. Our feelings

have been to make the bonus general to all if we can; if not, to avoid damaging the claims of our neighbours. We have stated nothing beyond a general argument to shew the fallacy of the committee's mode of excluding the opium of the Straits, when all the China Opium is included, and prayed for a distribution *to all*. Our mode of distribution may disgust those who lose something by it, but why it should disgust Government, is for the Opium Dealer to explain.

But there is a likelihood of the opium dealers' being subjected to a double dose of disgust, if a third party, as we see by the *Hurkaru* of this morning, rises in direct opposition to the China party,—in fact, a split among themselves. We want to give to all—this third party have a shrewd idea, that they can, without the difficulty which the Committee dwell on, prove who are to get and who not. If the bonus is a measure of commercial relief, I recommend the Opium Dealer and his party to join us without delay, and have the distribution made to all.

I am, dear Sir,

Ibid.] ONE OF THE PROTESTORS.

To the Editor of the Calcutta Courier.

Sir,—I am not very deeply concerned in the opium trade, but sufficiently so to give me some little interest in the discussion now going forward on the subject. I consequently perused your editorial of last evening, and, to confess the truth, not without some little surprize that you should be so biased in favor of the China shippers, as to deny that in the protest of the dissenting parties there is "a shadow of an argument." How you bring your mind to such a conclusion, I know not, but I shall endeavour to point out a very strong argument in it, and one that I am satisfied the good sense of the Government will not permit to be overlooked. I speak of that part of the dissent wherein it is stated, that a portion of the opium shipped to China had been sold at the date of the last accounts; and the argument founded on that fact, is that the shippers *of the sold* CHINA *opium* are no more entitled to the Government bonus, than the shippers *of the sold Straits opium*. This, indeed, you do not appear to deny; but you join with the Committee of China shippers, in saying that it is extremely difficult to separate the sold from unsold. Now this I take leave to deny, there can be no difficulty whatever in ascertaining the quantity of Bengal new opium *on hand*, or the parties to whom it belongs, if those interested *really desire to do so*. But the truth is, Government ought to have appointed a committee of uninterested parties; if there own servants, so much the better, to arrange the mode of division, and no difficulties would have presented themselves, unless those started by parties desirous of mistifying a plain matter to cloak their own greedy and selfish views.

Yours,

Ibid.] A DRUGGIST.

SUPPLEMENT TO CAPTAIN LOW'S DISSERTATION ON PENANG AND PROVINCE WELLESLEY.

Since the year 1834, when the dissertation was first written, the circumstances which affect the cultivation of spices as exotics, particularly of the nutmeg, have been somewhat modified. As it is not, at present, in contemplation to publish a second edition of the work, an appendix may be useful. Something of the kind has indeed been called for, of late years, by persons professing to have half-formed intentions of cultivating nutmegs. A good deal of curiosity too, if not anxiety, seems to be manifested by planters of spices generally, regarding their future prospects. Independent of these considerations, it becomes a duty I owe to myself as well as to any one who may have been in a degree swayed by the account of the cultivation of spices which has been given in the work adverted to, to leave him now to the exercise of his own judgment, and to relieve myself from any further responsibility.

The chief object aimed at in the dissertation certainly, was to urge the cultivation of spices up to a healthy point, so as to balance the Dutch monopoly, insure a fair supply to the markets of the world, and a just profit to the British planter.

The basis of the argument for this stimulating that cultivation, was stated to be, the increase in the consumption of spices which would follow an increase of the supply.

Although not very willing to quit this position, yet it behoves me to confess, that it has not been contravened without apparent reason, or at least that the chances seem to be against the consumption of nutmegs and mace *keeping equal pace* with their production, and that the healthy point before alluded to may *not* impossibly therefore have been already reached, if it has not been actually *overstepped*. It will still, however, require the operation of several years to prove or disprove the argument, and to shew whether there is an excess of production over consumption.

It was observed in the same work that the nutmeg tree has been hitherto, almost a monopoly of nature, owing to its being found in its

natural state within very confined geographical limits only. The latter part of this argument has likewise been controverted; although accumulated facts are yet wanted *wholly* to disprove it. It cannot, however, be denied that British planters to the eastward have reason to anticipate competition, perhaps a dangerous one, from the countenance nature seems to be giving to the cultivation of nutmegs in other intertropical parts of the globe, such as Trinidad, the Mauritius, &c. Whether syren-like she is alluring to ruin, or dispensing substantial gifts, will not be discovered until it be too late to profit by the knowledge. The fact, nevertheless, is sufficiently startling, one might suppose, to merit serious attention from the planter either in posse or esse.

It is clear that over-competiton would eventually prove detrimental both to consumer and producer. The former would for a brief period obtain cheap nutmegs at the expense of the latter; but the ruin which at the end of that period would overtake the producer would speedily reach on the market. The nutmeg plantations, like those of pepper, gambier, &c., would revert to jungle, and the nutmeg trees becoming extinct or irreclaimable where they were cultivated as exotics, their existence as a species would again be confined to the Moluccas and adjacent islands.

There is, therefore, and supposing that the Dutch continue to adhere to their monopoly, nothing which can be more nicely fitted to confirm that monopoly *in perpetuum* than an excess of competition beyond those islands, by the British colonist. On the other hand, it was this monopoly which originated the cultivation of spices within the British colonies, and thus gave to the consumer a chance of obtaining nutmegs and cloves at a fair rate. It is manifestly too, the interest of the consumer that the Dutch shall not relinquish their monopoly, *unless* in the relinquishment they can give an *irrevocable pledge*, which no foreign or domestic policy can affect or destroy, that it shall *never be revived* by them, and might they not demand a similar pledge on the part of the civilized world at large to them? It may merely be asked, if it be possible to give such pledges? And if not, if the British colonial planter be not entitled to the fostering protection of the State, to enable him to maintain the position he has taken up, at the greatest risks, and with so large an expenditure of time, substitutes cannot on emergencies be got for nutmegs and mace, such as may be had for sugar in beet-root, &c.

I have therefore no fear that the declaration of these sentiments will render me obnoxious to the charge of advocating the monopoly alluded to *per se*. The question is one almost of mere arithmetic.

Beyond the Moluccas the nutmeg tree will most probably for ever continue to be (if existing at all) either a mere botanical exotic, or, where regularly and largely cultivated but a very imperfectly naturalized one. The increased expense of cultivation too, where the tree is so situated, will probably render impossible any very lengthened competition with the Dutch at *low prices* or even at prices which even when viewed in conjunction with protecting duties by people unacquainted with the costs and risks of production, might else be deemed remunerating.

In the spice islands or Moluccas the nutmeg tree is *in situ*; and if through competition its cultivation *there* should ever happen to be given up, the worst thing that could befal it would be, that it would only revert by an easy and indestructive transition to its natural state in the jungle, where it would continue to flourish and to be ready at any given time to be brought out, and again rendered immediately perhaps productive; and this by means of the simple process of clearing away the underwood; thus, supposing cultivation to have been every where carried to a ruinous extent, establishing and most likely forever, the vitiated monopoly on the ruins of foreign competition; for it ought to be remembered that the present competition is no common or easily renewable one; seeing that it has required a period of thirty-seven years to become tangible or, to any useful degree, appreciable.

Even when fortune smiles most propitiously, the cultivation of the nutmeg as a partially naturalized tree is attended with such positive cost, that the planter cannot expect his capital expended with interest thereon [illegible] returned (if [illegible] within twenty years from commencement of regular cultivation.

[illegible] risks without high profits, or at least profits above barely remunerating prices. He will not waste a third part of his life in making a doubtful experiment, where the reward in the far distant prospect barely depresses the scale in his favor. He sets this best portion of his life, (rendered perhaps of high value to him by his distance from the mother country) "*upon a cast*" and he "*stands the hazard of the die*," but he is mainly supported in his arduous course by the hope of *doublets*. The risks run in cultivating the generality of intertropical products is not very great, because the returns are quick or immediate, being rarely protracted beyond the third year, while actual cost of production cannot possibly exceed a small portion of that incurred by planting nutmeg or clove trees. In the first instance the speculator may recede without losing much, in the second he cannot recede without losing all or nearly all the capital he has invested. In the first he may abandon his cultivation entirely for years, and afterwards seizing on a favourable crisis in the market again revive it without much difficulty. In the other, that is in the case of nutmegs or cloves cultivated beyond the Moluccas, he has not similar means for regaining lost ground; and even had he the means yet the essential

element, time, must again be largely employed and commanded to give to these means effect. It may be asked if any person would, under such circumstances, be hardy enough to try a second experiment with prospects unimproved and with the same rugged course still unsmoothed.

It has been said that the Dutch government can *grow* nutmegs at (8) eight dollars the picul. Could they be *sold* at this rate, or at one even many times higher, competition would of course be at an end. People might get nutmegs sent to them all over the world in shape of dunnage at three pence per lb. and at the cost of the "*Extra Malacca*" planters. But when the ruin of the latter should have been consummated, what, it may be asked, would then be the price of nutmegs? Might not the Dutch ask any price they should be pleased to fix for them? And can we doubt they would, as in days of yore, get it too? But those who assume that nutmegs may be grown at 8 dollars a picul in the Molucca islands (a thing which I can neither affirm nor dispute from paucity of minor facts bearing on it) have not condescended to the requisite details. Even admiting the statement, still several circumstances have been overlooked which are here material towards arriving at a right conclusion. We will venture to point out some of these.

In the first place, however cheaply the nutmeg may be *cultivated* at the Moluccas, it cannot thence be inferred that the Dutch or others under their rule could afford to *sell* them cheaply. The spice islands were occupied solely, it may be safely affirmed, for the spices they yielded. Their value, without reference to spices, is absolutely nothing, or next to nothing now. There is neither population on, nor produce other than spices of, these islands sufficient to attract commerce. The Dutch from the first, have been forced to keep up most expensive establishments to protect these islands: labor there is very *far* from free. At any rate the spices are delivered at the rates fixed by the government; while the native cultivators, even where least coerced, are moreover bound by other restrictions, which greatly reduce to them the value of their own labor. Hence it would be no easy matter to say what would be the price of labor there and ergo the price of nutmegs, were it to be loosed from its fetters.

Were the monopoly to be abandoned, the Dutch spice islands would, it may be imagined, be given up to their scanty population of natives. In such an event, it is very doubtful if nutmegs would be cultivated at all; and if they should, the produce would be doubtless of an inferior description. The most likely supposition, however, is, that the natives would, supposing that they escaped being carried off as slaves by the piratical tribes of the Archipelago, carry into execution the plan they once before conceived of destroying all the spice trees and thus removing the incentive to the occupation of these islands which had reduced them to a state of comparative bondage.

But the Dutch, it may be said, need not give up the islands, because, or, if they adopt the liberal system. Certainly not! Yet, if they did maintain them under such untoward circumstances for their exchequer, it must be admitted that they would have a right to be reimbursed somehow for the protection they would be thus affording to the free planters; and more especially so on the ground before noticed that the spice islands yield no exchangeable commodities beyond spices to attract trade; nor furnish any other sources of revenue. It would be a surpassing degree of credulity which could cherish the belief that any nation so circumstanced would consult the taste and palate of other nations at an enormous sacrifice of its own treasure.

If it be admitted that these premises or reflections have reason on their side, it follows that whatever might be the prime cost of nutmegs and mace, or in other words, the actual cost of growing and curing them, the Dutch government could not, with the usual regard which it pays to national expenditure, afford to allow nutmegs to be sold below the price which would be necessary to enable it to meet the cost of its various establishments. What that cost is now or might be in such a case, it were perhaps hard to tell; yet this appears certain, that it could not be met by the imposition of heavy duties on the exportation of spices; which in so far as the consumer could be interested, would be merely giving him a fancied advantage, and continuing the monopoly under another name. Lastly, it is fair to infer that such establishments would be maintained on political grounds alone, were the free system ever to gain a footing in the Moluccas. Nations like individuals become more tenacious as their possessions become circumscribed, and the Dutch have no apparent disposition to gratify others to their injury or ruin.

It now remains for me to describe, as well as circumstances will admit of, the extent to which cultivation has already gone, and that to which it may possibly proceed.

From the official information contained in Mr. HOPKINS's account of spice cultivation in the Banda islands in the year 1812; the report of M. B. MARTIN, Esquire (then Resident of Amboyna) in the same year, and in the account of the then Resident at Bencoolen, regarding nutmeg cultivation in the year 1816, all of which documents (now before me) were the result of cautious inquiry, I am enabled with confidence to state that in 1814 there were five hundred and seventy thousand five hundred nutmeg trees under cultivation at the Moluccas, (570,500) besides hundreds of thousands of plants in the nurseries. I shall not venture a random estimate of the number of trees which may have since been

added to the above; but, when it is considered, that the nutmeg tree attains to upwards of 160 years of age, that the increased demand which arose from the diminution of prices, has most probably stimulated to increased production by the planting of new trees; the reader will be able to form his own judgment on the subject of increase in trees. I am inclined to think, the addition must have amounted to a quantity equal to one-fourth of the number of trees in cultivation as before stated in 1814.

We shall now proceed to Sumatra.

From the printed account of Dr. LUMSDAINE there were 109,429 nutmeg trees in cultivation at Bencoolen in 1819, besides those in the out-stations. There is reason for believing that no great increase has taken place here. The above trees, it may be supposed, are now very productive.

On the authority of an English merchant, whom I lately met, and who was long a resident at Padang, the natives there have planted out a large number of nutmeg trees. The Captain Malay, as he is called, had a plantation of 10,000 trees.

PENANG AND PROVINCE WELLESLEY.

I have had good opportunities of estimating the present extent of the cultivation of nutmegs at this settlement, and I am sure, I rather underrate the number of trees in the estimate now to be made. There are upwards of twenty large plantations belonging to Europeans and nine to natives, besides many small nutmeg gardens. There are 106,800 trees in cultivation belonging to the first mentationed class, and 28,100 in cultivation appertaining to natives, making a total of 134,900 trees under cultivation; besides, large quantities of plants in the various nurseries, ready to be planted out by those who may chuse to venture after this exposition.

SINGAPORE.

It is said that several speculators at this island are actually planting out nutmeg trees, or are intending to do so on a large scale. The number of 10,000 trees has been mentioned to me.

TRINIDAD—WEST INDIES.

In a Liverpool paper of 1832 there appeared an account of 70,000 nutmeg plants being about to be planted on this island, and the statement is partly corroborated by Mr. POTTER in his "Tropical Agriculturist" published in 1833. It is therein stated as follows: During the peace of Amiens, the tree was first introduced into the British West Indies; two plants having been then imported from Cayenne to the Island of St. Vincent, one of these plants died, and the other proving to be a male tree it was aided by two others, which had been conveyed from India to Trinidad in 1806. These were cultivated successfully, and from this stock plants proceeded. A few of these, when about five years of age, were transplanted [illegible] tanical Garden at Trinidad in 1820, and three or four years after fifty more plants were procured from St. Vincent. Thirty two out of these were female, or fruit-bearing trees, from which, in the summer of 1830 more than twenty lbs of nutmegs were gathered; and as the most experienced (London) spice merchants declared, that most of them were equal to the eastern produce, the gold medal of the Society for the encouragement of arts, &c. was awarded to the successful cultivator. It appears that preparations have been made for the cultivation of this plant at Trinidad on a very extensive scale. Plants have been raised both from seeds and layers, sufficient to occupy one hundred acres of land. In 1828 thirteen hundred perfect nutmegs were gathered from one of the trees planted in 1820, and in 1830, some of the trees planted in 1824 were equally productive. The persons engaged in the cultivation are sanguine as to its success, and consider it an object every way worthy of the attention of government, as this cultivation is singularly adapted to the occupation of white persons of all ages and both sexes."

Some attempts appear to have been made at different times to cultivate nutmegs at the Mauritius, Ceylon, and on Cotinental India; but apparently without much success. The tree has also been tried on the Tenasserim Coast, but from the late description of the agricultural capabilities of that country given by Dr. HELFER, it would seem that the soil is not favorable to it.

Now, if we leave entirely out of consideration all the cultivation at the various places already mentioned or elsewhere, which has not been ascertained with any sufficient degree of accuracy; and confine the estimate to the cultivation on the Moluccas for the period betwixt 1811 and 1814, and that at Bencoolen for 1819-20 and the present cultivation at Penang, the result will be the very large number of eight hundred and eleven thousand, eight hudred and twenty-eight (811,828) trees in cultivation; a quantity sufficient to cover a tract of thirty miles square. It is probable that to meet the increased consumption since 1814 an addition of two hundred thousand trees may have been made to the Molucca plantations; although an improved system of cultivation of the original number would have a similar effect in respect to produce.

PRODUCE.

From the statement made by Mr. HOPKINS, Supt. of Spices at Banda, in 1812, of produce in the Moluccas at that period, it appears that it was on an average between six and seven hundred thousand pounds of nutmegs and one fourth of that quantity of mace yearly. But a large portion of the trees had not then arrived at a maximum condition of productiveness, a great many were just coming into bearing, and many were not old enough to bear. It also appears that the trees of a bearing age had been pretty well weeded of superfluous males. When therefore these things are considered it

will be very fair to infer that the present produce of the Moluccas, Bencoolen, and Penang *only*, cannot be less than one million of pounds of nutmegs, and one quarter of a million of pounds of mace, per annum. Mr. HOPKINS estimated prospectively for 1824 and at the lowest rate and the quantity at 800,000. lbs.

But if the question be now viewed prospectively, say for 1842, when all the trees at the Moluccas and Bencoolen, as already noted, and a large portion of those at Penang will, if the data assumed be correct, and if due allowance at the same time be made for unproductive trees, then, at the average rate of productiveness assigned to the nutmeg tree by Dr. LUMSDAINE and other writers, the produce of these *three* localities will be probably two millions and two hundred and fifty thousand pounds of nutmegs, and one quarter of that weight of mace per annum,

How far this prodigious quantity might be swelled by the produce of additional cultivation at these three localities, and that of cultivation at the other places before named, I have no accurate data for shewing. But even on the loose data for them, which we already possess, this prospective estimate might amount to three millions at least of pounds of nutmegs, and one fourth of that weight or quantity of mace. Formerly, it will be borne in mind, and the statements of Mr. HOPKINS confirm the impression, the Dutch had little inducement to cultivate the nutmeg tree, further than by keeping it clear of jungle, and consequently it could not be expected that the produce would equal in quantity that derived from trees highly cultivated. It would not be requisite in the Moluccas to have recourse to the expedient of laying out new plantations of nutmeg trees in order to obtain a larger supply. The produce might, it is believed, be there doubled, at the least, by careful culture, and doubtless it has in this manner been, to a certain extent, much increased, when the demand become suddenly greater. At Bencoolen much more attention is paid to the cultivation of the nutmeg tree than formerly, and doubtless the increase of produce there too has been considerable, and is yet progressing; since the tree does not recover itself suddenly after negligent cultivation.

But what is to be done with such a mass of produce? The average annual consumption in England, for the seven years preceding 1833, was only 124,422 lbs. of nutmegs, and for the seven years previous to 1832, the average annual consumption there of mace was only 16,579 pounds. The consumption, according to the official tables of both of these products, had nearly doubled itself in 1831 as compared with 1816, yet the rate of *increase* had not much advanced subsequently to 1826.

I have no tables of the consumption of nutmegs and mace in other parts of the world; but if the grounds of the foregoing estimates of cultivation be near to the truth, which it is believed they are, that consumption must increase far beyond any hitherto exhibited or even contemplated ratio, before the prices of nutmegs and mace can be prevented for falling, in a few years hence to a point very discouraging to planters. This is the worst side of the question; and for the sake of British Planters, it is to be hoped, a less gloomy one may be found, yet, it would be difficult to say where or how.

CLOVE.

The cultivation of the clove seems to have greatly declined within the past few years.

It were hard to say what quantity the Dutch islands now yield. In 1811 the Resident at Amboina found it necessary to plant trees. In the Isle of France and Bourbon, it is understood, that clove cultivation has been superseded by that of sugar. If so, there will be upwards of 17,000 piculs less in the market, per annum. The quantity in 1829, of Bourbon cloves, was 17,908 piculs. At Bencoolen, the number of bearing trees were estimated by Dr. LUMSDAINE, for the year 1824-25 prospectively, at 14,532. That gentleman was inclined to the belief, that its existence there was confined to 20 years, except in very superior soil. Hence, supposing no replenishing of the plantations has taken place, the period of the useful existence of the largest portion of these trees, has already passed away. At Penang, the clove tree, where found in congenial soil, has survived the above period and still yields good crops, biennially. But the extensive clove plantations on the hills, have not succeeded. Several planters, however, looking (as they must do) at the doubtful prospects held out to nutmeg growers, have begun again to plant cloves. The sites best adapted for this tree have now been proved, to be the plains and gently undulating tracts skirting the bases of the hills.

As the consumption of the clove has increased while its cultivation has declined, and, as it is believed, that the large stock, which for many years remained in hand in Europe has been nearly exhausted, there seems every probability of prices rising. Clove cultivation has the great advantage of being cheaper than that of the nutmeg.

10*th September*, 1837.

J. L.

[*Singapore Free Press, September* 28.

PROGRESS OF EDUCATION.

The extracts from letters which we subjoin, contain very satisfactory evidence of the progress of sound knowledge in different parts of India. One of the greatest obstacles to the progress of the seminaries which have been lately established in the interior, is the want of suitable books, which can with difficulty be procured in those distant quarters. It certainly is not surprising that English books do not abound in the neighbourhood of the capital of the Great Mogul, but we think that the existing want may be easily supplied by the friends of Indian education. There are few Europeans in this country whose private libraries would not furnish some books which, though of little use to themselves, would be a valuable addition to the library or class books of the nearest seminary; and if they have none of their own, American editions of all the standard British works are to be procured at a cheap rate at Calcutta, and may be as cheaply conveyed, at least for the greater part of the distance, by the river steamers. Perhaps also some whose eyes this may meet in England and America, may feel disposed to encourage us laborers in the East by helping to supply us with proper implements. A box of books, maps, slates, and other material of instruction addressed to the Principal of the Agra College (which institution includes all the different grades of tuition from 6 years old to 20) or to the Head Masters of the Ajmir, Ludiana, Gorakpur or Sadiá schools, would be received with the utmost satisfaction and gratitude. The class books by which children are instructed in the English language, are much the same wherever that language is taught; and any book which contains useful instruction in any branch of knowledge, will be acceptable for the Seminary Libraries. In order that the friends of India in America and England may know more distinctly what is doing and were their assistance is wanted, we intend shortly to furnish the subscribers to the *Christian Observer* with a map showing the number and position of all the schools, Missionary stations, and other similar establishments for the enlightenment of the people.

Ajmir, Jan. 15, 1834.

I would have written to you long before now, but that I was anxious to be able to communicate to you something decisive as to the school here. I need only tell you that there are 219 names on the list, 70 of whom are learning English: the remainder, almost all mere children, are acquiring the rudiments of their own language previous to commencing ours. This I am certain will be truly gratifying to you. I am sadly in want of books. The result of the experiment here has exceeded my most sanguine expectations, and I now confidently look forward to see Ajmir in three years the principal seat of western learning on this side of India. I am directing my attention to the possibility of educating those boys who are most likely to continue permanently my pupils, with the view of employing them at no distant period as school masters in the principal towns, such as Kekri, Srinagar, Puskar. If you would kindly point out any little work of ancient or modern literature, that translated into romanized Urdu, would be of any service, I would most willingly undertake it. The "Characters of Theophrastus" (of which I have no English, but a very good Greek and Latin edition) occurred to myself once or twice. And now, dear Sir, will you permit me to trouble you. The native gentleman (Seth Gambhir Mall) for whom you kindly procured a telescope, is very anxious to possess an "orrery," and has intreated me to solicit your assistance. On being apprized of what it may cost, he will immediately remit the amount.

Agra, Jan 18, 1837.

I must commence by saying, and I do it honestly, that we are doing well. The boys are improving fast, and the public interest excited by the college is great. It would be no matter for boasting that we are doing much more now than before. The change is to be ascribed to a change of system, which involved the accession of four hours (!!) additional study daily to English. Only imagine one hour's English to bring to each class per diem; and then only two teachers to 100 boys, the rest being taught by monitors. To satisfy you at once of what is doing I must refer you to the inclosed "Curriculum." All the grammar, except of the two first classes, all the arithmetic, mathematics, algebra, and all other studies, except reading and writing, are the growth of the short period between June and December. But the quality as well as the quantity of what has been acquired has also remarkably improved. The first class could scarcely make out a single sentence of history unaided, and I was constrained to limit their lessons to ten or twelve lines, and then first explain it in the fullest manner; they can now with only one or two incorrigible exceptions, read off a page, asking the meaning perhaps of a few words only, and are able to follow the lectures which I deliever every Monday, sufficiently to enable them to write an essay on the same subject by the Saturday following. In addition to our Curriculum, I have enclosed a little schedule of the *daily* lessons of the two first classes—where you will perceive that poetry is read twice, history and syntax twice, lecture on a moral subject on Monday, and the romanized Bághobáhár on Saturday. This latter is studied with great avidity and pleasure, on account of the ease with which all the boys can read it. The first class reads eight or ten lines, and translates into the *best* English; and the next morning, that it may be retained, a copy is made and shown to the master. This serves for *translation* from Urdu into English, and will soon, I

trust, enable them to construct English sentences grammatically and elegantly. The lecture at once supplies important knowledge, and an exercise for thinking and expressing.* The poetry affords what history does not, fine thoughts and variety and richness of language, and will serve when they understand it better, to *create a taste* for the beauties of literature.

Our new library is just opened Bálmukand, our best and most deserving monitor, is appointed librarian at ten rupees per mensem. These books are many of them very excellent, and all of them, from their simplicity, *suitable* to our present state. Were they more learned, they would not be understood and soon laid aside. Mr. Davidson, our acting civil judge, has made us a present of nineteen volumes of Miss Martineau's works and two volumes of Bowring's "Minor Morals." We have also Lord Bentinck's present of the Encyclopedia Britannica—besides a number of useful books on history, travels, &c. which I lend to such as can understand them. The Bishop also presented us with a copy of his evidences. Mr. Davidson also presented us with a set of *mural* maps valued at three hundred rupees, and we have commissioned out another set from England, as Ostell says there are none to be obtained in Calcutta. The second class are but very little behind the first, owing to an extra hour they enjoy over and above the first class, half of whom are occupied in teaching the monitorial classes in the forenoon, and the other half in the afternoon.

Our numbers would have been at least three hundred now, had not sixty or seventy been struck out, for negligent attendance. Once a month a Rubakàri is read with no small solemnity in the presence of the whole college, when it is announced, who have been fined for misdemeanors, who have been admitted into either the English or Oriental Department, and who have withdrawn or have been expelled. Formerly pupils were admissible daily, now only on the last Wednesday of the month. We have also drawn out a notice of the terms on which boys are to be admitted, the privileges they are to expect for studying a certain number of years, &c. &c. Our Christain boys are increasing fast in number, and several of them are highly respectable. Without referring to my note book, I think there are nearly forty, besides which we have had as many as about twenty applications from persons living in the neighboring and some remote districts, wishing to place their children at the college, and urging most fervently our establishing a boarding house for their reception. We thought at first of asking the General Committee to build a place for the purpose but not being prepared with specific data as to what might be required, it was judged advisable not to moot the proposition; but Dr. Duncan has suggested to Mr. Porter to undertake to board and lodge children in the way desired, and he has consented to do so. I also have been personally solicited by six or seven persons to take charge of their children, but having a family of my own, I have been obliged to decline, at least for the present; should I, however, have accomodation sufficient for a few, in my new house, which I expect to enter in April or May next, I think I shall receive them as there really appears to be no other place half so eligible where parents can educate their children except by sending them to Calcutta or to Europe, which is in the power of only a few to do. Were I not afraid of swelling the bulk of this letter to an unwieldy size, I would enclose some of the letters I have received, and they would shew in what an interesting light the college seems to be regarded. Some of our first class lads have become quite enamoured of learning, and pursue their studies with a delightful avidity; we had occasion to send one of them to Mainpuri to the Postmaster, and the following is an extract from his letter regarding him. "I cannot do less than to thank you the promising assistant I have obtained in the Dak Office through your agency; and if the Agra College turn out such valuable servants for public offices, the institution, in common with others of its class, will be of immense influence, in promoting the general strength of the country; for it is *mind* that is wanted to release the torpid energies of this as of other climes." This estimate is, I think, perfectly just in regard to the young man Ramdiál, although I regret to say that he lost his situation shortly after, before he could make himself useful, and by so doing gave offence to his employer. He has in consequence returned to the college and feels much greater pleasure, he says, in study than in business. He has great taste for geometry, and learnt twelve propositions in one day.

On this topic of geometry, however, I must spell a little. Mr. Marston, who has the department, is fully capable to advance the boys far into the recesses of the science, but we have not more than five or copies of Euclid, and have thus labored under great disadvantages. In arithmetic and algebra it is the same, and you could not render us more essential service than by sending us supplies of these books. I was obliged to get pasteboards and write out, in a large legible hand, all the propositions, and make the more advanced teach from these suspended on the wall, after the Lancasterian fashion, those who lagged behind, and by this means we have been able now to reach very near the end of the first book.

The first class have gone through fractions which they understand well, they also understand the square root, and are now engaged in the cube root and decimals. Our cleverest boy is a Christian by name Nicholas Parsick, who is advanced as far as Equations. If you see the *Agra Ukhbar* you will have observed our programme at the last examination.

* This probably refers to the "American Juvenile Library," a collection of entertaining and instructive books, which has been furnished to all the Government Seminaries.

Previous to the public display I subjected all the classes to a very rigid examination, particularly the two first, making them answer in writing a series of questions on the several branches of study which they had been pursuing. This was quite a novel ordeal to the boys, but it was highly beneficial, and I was much pleased with the result. The questions were all answered from memory and knowledge: no reference was allowed to books, and for the most part they were well and correctly answered. We have often had visits from the curious, and the boys have generally been called up to read and explain some passage in history, or demonstrate a proposition. The results in each case have given the highest satisfaction.

We do not yet think of commencing natural philosophy, there being already work enough cut out for our boys. We hope, however, to do great things in time. We have only now fairly commenced; but if we go on as well as we have commenced, a rich harvest will await us. I promise myself still more occupation when I am domiciled near the college. At present I am four miles distant, and yet trudge it regularly as a mill horse every morning. All my time and almost all my thoughts are in my work, and the success of my labors will be my best reward.

Lessons——1*st class, under head master only*

Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Moral lecture to be the subject of an essay, to be prepared by Saturday.	History.	Poetry with Prosody.	Syntax with Exercises.	History.	Bághobáhár and copy on paper.

Ditto 2nd class.

"Lessons on things" to be copied on slates.	History, Questions on ditto. Parsing & Spelling.	Grammar and composing sentences.	"Lessons on things," as on Monday.	History, as on Tuesday.	Grammar, as on Wednesday.

Sadiya, Assam, Dec. 27, 1836.—I have received a letter from our American Agent, Rev. H. Malcom, encouraging us to expect one or two more Missionary families soon. Mr. Malcom himself will not visit us.

The young man you sent up as interpreter is a good scholar, and I like him much. He understands Assamese well, and Bengali considerably. We are printing an edition of the parables of Christ, principally for a school book.

As an instance of the ease with which the Roman character may be learned, I mention that my interpreter had learned to read correctly and intelligibly within a week after his arrival here, although I did not devote more than an hour a day to his instruction. I have myself, on the contrary, been endeavouring for several months to make out the compound characters of the Bengali, but am almost every day meeting with new compounds that perplex me and I have concluded to lie down quietly under the statement which has been so often repeated of late, "that no one adopts the Roman character, but those who are too lazy to learn the native." It is certainly true that I am too lazy to teach it to others, and much prefer some easier method of instruction.

I have received a copy of "correspondence on the mode of educating the natives," and also some articles by Mr. Trevelyan in favor of romanizing, which appear to me perfectly unanswerable, although we see by some of the Calcutta papers that it is very easy to denounce and ridicule them.

I see an account of an attempt to grow tea in America, which has succeeded well. I hope it will succeed here.

Kyshngarh.—A few evenings ago I passed some native shops the owners of which sent their sons to my new school. I said, "I am going to teach your sons to read and write your own language in the English character." They much approved of it considering it a great advantage under the present state of things, and no doubt it will be. I leave it to them to carry on their Bengálá,* which they will not neglect to do as far as they find it requisite.

Gorakpur Schools.—My school is getting on very well, and the residents particularly friendly. The principal native Sudder Ameen is taking private lessons in English with me, and ten others in Government employ have sent to know if I would give them private instructions. I have agreed to do so at my leisure.

Suri, Oct. 4, 1836.—Yesterday we had the annual examination of our schools. Most of the Europeans of this station were present, and were much gratified with the progress made since last year. The higher classes of the English schools were examined in grammar, geography, ancient history, and the use of the globes.

Subathú, Jan. 24, 1837.—I have been here only three or four days and therefore can say but little about the aspect of things in relation to the Missionary cause. The hill people appear in their aspect and deportment to be a more independent people than they of the plains. They are said to possess more integrity and ingenuousness than the people of the plains; and also to have more liberality of sentiment. But I suppose, that when Christianity shall come more directly in contact

* Viz. the old Bengali character.

with them, it will be likely to find the opposition of the human heart which is nearly the same in every latitude and clime. The European gentlemen here seem quite inclined to befriend us, and forward our objects so far as we have yet had any opportunity of eliciting their feelings.

The school at Ludiána is doing as well as we could reasonably expect, and the Press is ready to perform its part with a good degree of efficiency as soon as an experienced printer comes to direct it, and a sufficient number are prepared to circulate its productions. We hope that a printer will soon arrive.

I have been travelling a good deal in the plains during the last two months. I always had a supply of Tracts, Testaments, &c. with me. I was often surprised to see how few of the people are *able to read*. There is a vast work to be performed for this people yet, in preparing them to read and understand, before the Bible, as a written or published volume, can be of much service to them.

Saharanpur, Jan. 28, 1837.—This is quite a beautiful place. One of the finest botanical gardens in all India is in the vicinity. From our bungalow we have a fine view of the Himalayas in all their majesty, towering to the clouds and capt with eternal snows glittering in the sun. In case of fever an invalid could be carried to the hills in a single night, when a climate, at any degree of temperature, can be obtained; and it opens up a wide field for usefulness; but the natives are more rude than any I have ever seen. Saharanpur contains about forty thousand inhabitants; about half of them are Musalmans and half Hindoos. We have commenced a school, but as a report had previously been circulated, that we were going to make Christians of them, they are rather shy in joining it. We are not discouraged, however, for we know that if we persevere the Gospel will not be ineffectual. We need the prayers of all Christians.—*Calcutta Christian Observer.*

RESUMPTION OPERATIONS.

We published on Wednesday, from the *Englishman*, a report* of a proceeding before the Sudder Board, a report thereon, and final decision by the Governor of Bengal, on the petition of the Rajah Gourbullub against the assessment of certain mouzas situate in the district of Beerbhoom. It appears, that the lands have been held free since the year 1763! two years previous to the Company's accession to the Dewanny; that is to say, that the lands have been held for a period of *seventy one* years rent-free, and by the decision of the Governor of Bengal on the petition of the Raja Gourbullub, that possession of 71 years is *now* disturbed, and the lands are to pay half the assessment at which are rated the other lands of the same pergunnah, which the Government had previously reduced into possession, and this decision is a *concession* on the part of Government in consideration of the 71 years' possession rent-free of the land by the present possessor and his ancestors! It must be admitted, that the concession is great and magnanimous. We are not of course inclined to dispute the English maxim of law, that *nullum tempus occurrit regi, aut ecclesiæ*, but we were not aware that the same enviable privilege extended to the Government of Bengal. Supposing, however, that the Government here is pleased to lay down the rule that time operates as no *bar* against the Government, provided they can at any time establish a long dormant right; yet, it appears to us, that according to the admitted facts appearing on the report, which we have taken as our text, the Government had interposed its own laws to prevent its own recovery of its alleged right of assessment in the instance in question.

Now, as to this point, viz. that the Government has interposed its own law, the Regulation XIX. of 1793, to prevent its interfering with the lands in question.

* By Section 2, of the above cited Regulation, it is enacted, "that all grants for holding land exempt from the payment of public revenue, made previous to August, 1765, the date of the accession to the *Dewanny*, by whatever authority, and whether by a writing *or without a writing*, shall be deemed *valid*, provided the grantee actually and *bona fide* obtained possession of the land so granted previous to the date above mentioned, and that *the land should not have been subsequently rendered subject to the payment of Revenue by the officers or orders of Government.*" Now, without going any further, we think, that the above cited Section of the Regulation is decisive of the whole question.

It is laid down in the preamble of Regulation XIX. 1793, that grants made prior to the date of the *Dewanny*, provided the grantees had obtained possession, should be held valid to the extent of the intentions of the grantor, to be ascertained either from the writings by which the grants were made, or from their nature and denomination. Now, in the present instance, the proof of long possession consisted both of oral and documentary evidence, and

* See 3rd part for the report.—Ed.

that was admitted by the Commissioner before whom the case was tried, to be *satisfactory* It appeared, moreover, that the grant was originally a grant absolute by the zemindar, and that the grantee had a perfect power of alienation, so that, according to the principle laid down by Government in the Regulation we have cited for its guidance as to the intention of the grantor, it is quite clear, that there was no pretence left to it, save the irregularity on the point of Registration for the resumption of these lands as lakhiraj. It is admitted that the grantee obtained possession under his grant, and held and still holds such possession, and that the land has not been subsequently held subject to the payment of revenue by the officers or orders of Government. It appears, moreover, by the report, that the lands in question had been registered, although not under the provisions of Regulation 19 of 1793, and that consequently the spirit of the provisions of that Regulation had been complied with; the object of the Regulation being to ascertain what lands had been alienated, granted away and exempted from revenue by the old Zemindars. The grant in question had been registered previously to the Regulation of 1793, in the Bazee Zemin Dufter, and the Collector was, therefore, or ought to have been, in possession of all requisite knowledge respecting this particular property, with which it was necessary he should for the purposes of revenue, have been acquainted. It is admitted apparently by the report, and certainly by the Regulation of 1793, that length of possession is entitled to consideration; in the present instance the admitted length of possession is about three-quarters of a century, the question of the forged or suspicious document or *sunnud*, is a matter first of all on which the Judge, Mr. TAYLOR, and the 2nd member of the Sudder, Mr. WILBERFORCE BIRD, appear to entertain opinions differing in toto from those held by the Commissioner, and the senior member, Mr. TAYLOR, holds the instrument good, and Mr. BIRD shews clearly that the reasons assigned by the Commissioner for rejecting the document are not worth a rush. The presumption is, that the senior member took the Commissioner's report as his ground for considering the document bad, so that for any thing that appears to the contrary the document may be a good document. But then again, if it be suspicious, the present rightful owner and occupier of the lands in question, the Rajah Gourhulleb, is not answerable for it, for it was not produced by him neither did it come out of his custody; what then, let us ask, is the ground upon which this possession of seventy-one years unquestioned, is upset? The only one, the question of want of registration under the provisions of the Regulation of 1793, appears to be that of Collector-compelling expediency. The great state reason (La Raison D'Etat) the getting in of *Revenue*, made the *decision* necessary.

If the quibble of want of registration, according to the letter of the act, were given up, the other lands similarly situated would be for ever wrested from the grasp of the Collector. The Government cannot afford to be generous. It cannot in the instance before us afford to be just. The magnanimous provision of Section 26 of the Regulation of 1793, is a mere dead letter. The Governor of Bengal will not assume the discretionary power vested in the Governor-General in Council by Section 26, and in a case which, if ever case there was, calls imperatively for his interference, he refuses to admit the grant of these lands upon the Register after the expiration of the prescribed time for registering.

If the facts detailed in the report of this matter are not sufficient to constitute to the satisfaction of Government, a good and sufficient cause for the non-registry of the grant pursuant to the terms of the Regulation, in vain may we hope ever to shew such good and sufficient cause for omitting to register; and, as we have already observed, the latter part of Section 26, of Regulation XIX. of 1793, must be taken to be a dead letter. The case is one of extreme hardship, and that is admitted by Government, but they cannot consent to waive the technical point in their favor, (the non-registry) and so making a *hunderbuss* with their conscience and their interest, they decree the land to be subject to a half assessment. This order of itself shews that the Government does not admire its own conduct in the matter, and, as it appears to us, the decision is erroneous. At present the lands in question are assessed under paragraph 2 of Section 8 of the Regulation of 93; that regulation relates to lands alienated subsequently to the date of the accession to the Dewanny which are *de facto* invalid unless confirmed by Government—see Section 3rd of the Regulation. Such is not the fact in the case before us. The lands in question are brought into the Collector's office, on the technical ground of want of Registration, they are, therefore, if liable at all, liable to the whole assessment and not to half. The case is not apparently considered a fit case for the exercise of the discretionary power of remittance of revenue, and why, therefore, deprive the executive of the additional amount of territorial revenue arising from the five villages, by this merciful piece of legislation? Either the case is one of extreme hardship, and then the whole assessment should be remitted, or it is a case which presents no hardship at all, and then the whole should be levied.—*Hurkaru, May* 20.

We have now before us a circular of the Sudder Board of Revenue communicating to their subordinates the following orders of Government:—

To F. J. HALLIDAY, Esq.

Secretary to the Sudder Board of Revenue.

Revenue. SIR,—The Right Hon'ble the Governor of Bengal considers it to be very desirable that the several Special Deputy Collectors should confine their operations, in the first instance, to the investigation of tenures

claimed as rent-free, and to large and valuable tracts of unquestionably recent alluvial formation.

2. His Lordship is very anxious that no unnecessary alarm should be given to the land holders, by the institution of suits, on insufficient grounds, to establish the liability to assessment of lands, attached to permanently settled mehals, but alleged to be "*towfeer*," except where the permanent settlement was formed on a detailed and recorded measurement, as in Chittagong or Sylhet, or where, as in the districts bordering upon the Sunderbuns, or upon the forrests which skirt the valley of the Ganges both on the east and west, there existed at the date of that arrangement very extensive wastes, certainly not included within the limits of any estate, and of which the boundaries, in relation to the cultivated lands adjacent, were pretty accurately known, it must always be a matter of extreme difficulty to urge such claims, without, at the same time, whether the attempt be eventually successful or otherwise, affording plausible grounds for the allegation that the officers of Government are disposed to break the faith of the permanent settlement.

3. For these reasons, the Governor requests that the Board will issue general instructions to the Special Deputy Collectors, to defer all investigations regarding alleged *towfeer* lands, until they shall have disposed of all the lakhiraj cases on their respective files. They should also be directed to receive with great caution all information tendered by informers, and carefully to abstain from giving such encouragement to that class of persons as might enable them to impose upon and plunder the people.

4. These restrictive orders are not intended to apply to lands in the 24-Pergunnahs, Jessore, or Backergunge, reclaimed from the Sunderbun jungles since the date of the permanent settlement; nor, of course, to Chittagong or Sylhet. And as regards tracts, really touteer, existing in other qarters, as is understood to be the case, for example, with respect to some of the purgunnahs of Tirhoot the Sudder Board are authorized, on being satisfied by the special Deputy Collectors' report, through the Commissioner, that a strong "*prima facie*" case exists to warrant proceedings, to grant permission to the former officer to institute a suit on behalf of Government to investigate the point of liebility to assessment

I am, &c.

(Signed) Ross D. MANGLES,

Secy. to the Govt. of Bengal.

Fort William, the 2d May, 1837.

To understand properly the merits of the above instructions, we should go back to the celebrated Regulation II. of 1819, which discovers the same policy as that on which the letter now before us appears to be based. In the first clause of Section III. of that Regulation all rent-free-holders in Bengal, Behar, and Orissa, whose possessions do not extend beyond one hundred beegahs, and in Benares beyond fifty beegahs, are exempted from the resumption ordered in that Regulation. It should be recollected that holders of rent-free lands below one hundred beegahs, are far more numerous than those whose rent-free possessions are of greater extent. A distiction between these classes therefore answered two ends: the first, of preventing the majority of rent-free holders from raising clamour against Government; and, secondly, of resuming only such lands as by their great extent were of considerable value. This measure answered another purpose. The smaller rent-free parcels which the Government gave up, were made liable, in case of invalid title, to resuption by the zemindar, within whose estate they happened to be located. By this the zemindars obtained a means of increasing their revenues, and felt the benefit which the resumption regulation thereby conferred on them. Thus not only were all those rent-free-holders, who had parcels of land measuring less in extent than one hundred beegahs, debarred from complaining against Government, and placed at variance with the zemindars; but even a great many influential zemindars who had lost their rent-free lands by the operations of this regulation, were silenced into acquiescence to its provisions, by thus being compensated partially or totally for their losses. The number then left of the aggrieved party who had influence enough to complain, was really very small, and owing to the natural timidity and apathy of the people of this country, even these did not raise their voice against the resumption regulations. No measure could have been better contrived to carry on the odious operations of this regulation, than such a separation in the interests of the rent-free holders, and its complete success shews the masterly hand of Holt Mackenzie, which wove this net for the poor, ignorant natives.

The exquisite model of policy afforded by this regulation has ever since been adopted on every similar occasion. The people of this country, like infants, have ever since been made to swallow the most noxious dronghts under the deceptious appearance of a little sweet spread on the surface of the bitter cup. The first resumption regulation provided that the fiscal officers had only to search out the resumable lands and sue for them before the ordinary Courts of Justice, and appeals were admitted even so far as the King in Council, in the same manner as in other cases. But some years after, when a fit opportunity presented itself, another regulation was passed directing that the fiscal officers were not only to search out these lands, but also to *sit in* judgement over the claims they had themselves set up, and the aggrieved party had an appeal only to a special Court, and debarred from the advantage of having his rights tried by the ordinary Courts of Justice. It was not considered prudent at once to alarm the land holders by carrying on the resumption operations exclusively through fiscal and special

media, and therefore these operations were at first subjected to the inquiry of the ordinary Courts. In time, however, when the people had submitted to that one degree of encroachment on their rights, another was made, and their complaints against Government transferred to fiscal and special Courts, in direct violation of the solemn pledge given to the land-holders in the preamble of Reg. II. of 1793, quoted below.

The orders now before us appear to be based on this cautious policy. The Deputy Collectors are warned not to alarm the people by pouncing upon their property with the bold, indiscriminate bound of the lion, and directed to proceed in their work with that caution which is the characteristic of the Indian tiger who steals upon his prey, from the ambush, without giving any previous alarm. The Deputy Collector is also told not to interfere just now with the *towfeer* lands belonging to the zemindars of the provinces were the permanent settlement was concluded without measurement The great body of these zemindars possess such lands and are sufficiently influential to distrub the current of resumption operations. They must not therefore be alarmed just now. Their interest must for the present be separated from that of the rent free holders. The enemy in a collective mass seem to oppose too formidable a phalanx; the tactics of Mackenzian warfare point out the policy of causing a separation among them. Let not therefore the most powerful of the enemy be distrubed for the present; let the weaker portion, the poor rent free holders, first fall by the axe of the resuming officer. A time will come when these having been mowed down, the work of subduing the others will become comparatively easy: policy so deep as this, reflects, no doubt, the highest credit on the advisers of Government in these matters; but where is the heart that feels for the poor native, suffering a slow decay under the fascination of such intricate policy, which whilst it bears the mark of justice, gnaws upon the very vitals of the people?

The apparent object of the above order is to prevent alarm among the zemindars; but how can this object be gained if it is intimated in the very order that their possessions will at a future period be disturbed? It is far better at once to deprive them of what the Government want, than make them to pass several years under the painful apprehension of an impending danger. To understand properly the merits of this question let the reader peruse attentively the following preamble of Regulation II of 1793:

In the British territories in Bengal, the greater part of the materials requiered for the numerous and valuable manufactures, and most of the other principal articles of export, are the produce of the lands. It follows, that the commerce and consequently the wealth of the country, must increase in proportion to the extension of its agriculture. But it is not for commercial purposes alone, that the encouragement of agriculture is essential to the welfare of these provinces. The Hindoos, who form the body of the people, are compelled by the dictates of religion to depend solely upon the produce of the lands for subsistence; and the generality of such of the lower orders of the natives as are not of that persuasion, are, from habit or necessity, in a similar predicament. The extensive failure or destruction of the crops, that occasionally arises from drought or inundation, is in consequence invariably followed by famine, the ravages of which are felt chiefly by the cultivators of the soil, and the manufacturers, from whose labours the country derives both its subsistence and wealth. Experience having evinced that adequate supplies of grain are not obtainable from abroad in seasons of scarcity, the country must necessarily continue subject to these calamities, until the proprietors and cultivators of the lands shall have the means of increasing the number of the reservoirs, embankments, and other artificial works, by which, to a great degree, the untimely cessation of the periodical rains may be provided against, and the lands protected from inundation; and as a necessary consequence the stock of grain in the country at large, shall always be sufficient to supply those occasional but less extensive deficiencies in the annual produce, which may be expected to occur notwithstanding the adoption of the above precautions to obviate them. To effect these improvements in agriculture, which must necessarily be followed by the increase of every article of produce, has accordingly been one of the primary objects to which the attention of the British administration has been directed in its arrangements for the internal Government of these provinces. As being the two fundamental measures essential to the attainment of it, the property in the soil has been declared to be vested in the landholders, and the revenue payable to Government from each estate has been fixed for ever. These measures have at once rendered it the interest of the proprietors to improve their estates, and given them the means of raising the funds necessary for that purpose. The property in the soil was never before formally declared to be vested in the landholders, nor were they allowed to transfer such rights as they did possess, or raise money upon the credit of their tenures, without the previous sanction of Government. With respect to the public demand upon each estate, it was liable to annual or frequent variation at the discretion of Government. The amount of it was fixed upon an estimate formed by the public officers of the aggregate of the rents payable by the *ryots* or tenants for each *beegha* of land in cultivation, of which, after deducting the expenses of collection, ten-elevenths were usually considered as the right of the public, and the remainder, the share of the landholder. Refusal to pay the sum required of him, was followed by his removal from the management of his lands, and the public dues were either let in farm or collected by an officer of Government, and the

abovementioned share of the landholder, or such sum as special custom, or the orders of Government might have fixed, was paid to him by the farmer, or from the public treasury. When the extention of cultivation was productive only of a heavier assessment, and even the possession of the property was uncertain, the hereditary land holder had little inducement to improve his estate; and monied men had no encourgement to embark their capital in the purchase or improvement of land, whilst not only the profit, but the security for the capital itself was so precarious. The same causes therefore, which prevented the improvement of land, depreciated its value. Further measures, however, are essential to the attainment of the important object above-stated. All questions between Government and the landholders respecting the assessment and collection of the public revenues, and disputed claims between the latter and their *ryots*, or other persons concerned in the collection of their rents, have hitherto been cognizable in the courts of *maal adawlut*, or revenue courts. The Collectors of the revenue preside in these Courts as Judges and an appeal lies from their decisions to the Board of Revenue, and from the decrees of that Board, to the Governor-General in Council in the department of revenue. The proprietors can never consider the privilege which have been conferred upon them is secure, whilst the revenue officers are vested with these judicial powers. Exclusive of the objections arising to these Courts from their irregular, summary, and often *ex parte* proceedings, and from the Collectors being obliged to suspend the exercise of their judicial functions, whenever they interfere with their financial duties, it is obvious that if the regulations for assessing and collecting the public revenue are infringed, the revenue officers themselves must be the aggressors, and that individuals who have been wronged by them in one capacity, can never hope to obtain redress from them in another. Their financial occupations equally disqualify them for administering the laws between the proprietors of land and their tenants. Other security therefore must be given to landed property, and to the rights attached to it, before the desired improvements in agriculture can be expected to be effected. Government must divest itself of the power of infringing, in its executive capacity, the rights and privileges, which, as exercising the legislative authority, it has conferred on the landholders. The revenue officers must be deprived of their judicial powers. All financial claims of the public, when disputed under the regulations, must be subjected to the cognizance of courts of judicature, superintended by Judges, who, from official situations, and the nature of their trusts, shall not only be wholly uninterested in the result of their decisions, but bound to decide impartially between the public and the proprietors of land, and also between the latter and their tenants. The collectors of the revenue must not only be divested of the power of deciding upon their own acts, but rendered amenable for them to the Courts of judicature; and collect the public dues, subject to a personal prosecution for every exaction exceeding the amount which they are authorized to demand on behalf of the public, and for every deviation from the regulations prescribed for the collection of it. No power will then exist in the country by which the rights vested in the landholders by the regulations can be infringed, or the value of landed property affected. Land must in consequence become the most desirable of all property, and the industry of the people will be directed to those improvements in agriculture which are as essential to their own welfare as to the prosperity of the state.

Now let the spirit of the above declarations made some forty years ago be duly considered, and then let it be compared with that of the order now passed. It is not clear that whilst the former affords every pledge for the security of property and of its value, the latter places them in the most precarious and uncertain state? What can more effectually depreciate the value of estates than such a threat as is held out against them, of resuming portions which are not to be known for years to come?

These are the grievances of which the zemindars have just reason to complain, but which we see no feasible way of remedying.—*Reformer, May* 28.

We have copied from the *Reformer* some remarks on the letter of Mr. Secretary MANGLES to the Sudder Board of Revenue, regarding the manner of conducting resumption operations, which appeared in the *India Gazette* of the 22d inst. under the head of Revenue Board circulars. The *Reformer*, it will be observed, considers this letter of Mr. MANGLES as an instance of that cautious policy which the Government have always adopted in carrying on the resumption operations, and by referring to Regulation II. of 1819 points out that both these Regulations have been conceived in the same spirit. We do not dispute this. On the contrary, we find that a singular anecdote which, not long ago, was related to us by a Sikh Sirdar from *Sohana*, confirms this view of the subject. Before the petty Rajahs and Chiefs, occupying the tract of country which lies between the Jumna and the Indus, had placed themselves under the protection of the British Government, RUNJIT SING, the ruler of the Punjab, threatened to invade their country. The alarm, occasioned by the threat of so powerful a Chief, caused them to set aside their petty quarrels, and meet at Patiala, one of the largest towns in the country, to consult on the best mode of protection against the northern storm which threatened destruction to their possessions. Some were for making an united resistance, whilst others, conscious of the overwhelming superiority of Runjit's cavalry, declared that nothing but the aid of the English could save their country.

The whole assembly at last came to the conclusion, that the only alternative left for them was submission to either one of these two powerful neighbours, and the Raja of Patiala, the most respectable among them, thus declared his sentiments in his figurative oriental style. "Brethren, your difficulties have brought you to the necessity of submitting to the yoke of either RUNJIT SING or the English. The former is like the cholera, putting an end to the life of the patient in an instant, whilst the latter may be justly compared to the hectic fever of consumption, destroying its subject by degrees. Die, brethren, we must; but existence is so dear to man, that if we can linger on for a while, we would rather do that, than allow ourselves to be cut off at once. Let us, therefore, submit to the English, and protect ourselves against the speedy desolation of Runjit's sword." This terminated the debate, and the Sikh chiefs, adopting the advice of the rajah of Patiala, have since that period been under the protection of the British Government.

The opinion of the Rajah of Patiala and that of the Editor of the *Reformer*, do not appear to us to differ in the least, as respects the character of the British Indian Government; a circumstance which goes a good way to confirm the impression that necessity and not free choice is the cord which binds the natives to our interests. How far such a state of feeling among the native population is favourable to the stability of our empire, and how far, under such circumstances, it is prudent to excite feelings of discontent, by harassing them with the resumption operations and other encroachments on the comforts which they have been in the habit of enjoying for generations, we leave those at the head of public affairs to determine.—*Harkaru, May 29.*

TRADE ON THE INDUS.

We have had the opportunity of perusing some valuable reports recently received by the Bengal Government from Captain Burnes, "on the Trade of the countries bordering on the Indus," copies of which have been furnished to the Chamber of Commerce. They consist of

A Memoir on the Navigation of the Indus.

A list of manufactures, home and foreign, found in the bazar of Tatta, of all which a set of specimens has been sent to Calcutta by Captain Burnes.

A report on the Commerce of Tatta and Sinde, prepared after ten days' residence in that city.

A paper on the Commerce of Hydrabad and the lower Indus.

A list of the merchantable articles of home and foreign manufacture found in lower Sinde. Of these it is intended also to forward specimens.

Other reports, we understand, have since been received from this indefatigable agent. When his researches are completed, we trust the papers will be printed in a collected form for general information, more particularly that of the mercantile community, to whom the various details they contain will be of much interest, and may possibly afford the means of combining useful projects of trade, as well as a caution to avoid speculative experiments founded only upon general notions in the absence of such datta as they now have to guide them. In the first paper we have named, Capt. Burnes has given a sketch of the British commercial intercourse with Sinde, from the records existing at Bombay.

"It seems that the first settlement in Sinde, was made in the year 1758, as the demand for woollens and other goods in the countries traversed by the Indus held out great encouragement. This factory was withdrawn in the year 1775 under instructions from the authorities in England, because of differences with the Government of Sinde, and, as the dispatch says, as we have before experienced some instances of the arbitrary disposition of the Prince.' In 1799 such, however, were the inducements, from the tendency of trade to run in the channel of the Indus, that the East India Company sought to renew their commercial connection with Sinde, and Mr. N. Crow, who was deputed for that purpose, restored the factory at Tatta, and procured permission of the Government to fix his residence either in that city or at the port of Curachee."

The jealousy of the native merchants, however, induced the Sindian Government in the following year, first to order Mr. Crow to withdraw from Curachee to Tatta, and a few months afterwards to abandon the factory altogether; and it was not till 1832 that the British authorities came to an understanding with the Sindian Ameers to re-establish our commercial relations with the country and to put them on a footing of stability. Captain Burnes mentions some curious fact as to the frequent changes

of the site of the navigable entrance to the Indus, which had rendered it necessary to shift the port of debarcation from time to time—from Ammunga-bunder, where the British first disembarked their goods, to Shahbunder 20 miles west of the former to Curachee in Crow's time, and of late years to Vikkur. But on all matters relative to the navigation of the river, we would refer the reader to a more elaborate treatise by Lieut. Carless, from his own observations and those of Lieut. Wood, which has lately been printed at Bombay. Captain Burnes compares the Indus with the Nile, but shews that, in spite of all the difficulties of its entrance, its communications with the sea by land carriage and otherwise are shorter and better for traffic than those of the Egyptian river. The city of Tatta, he observes, was at one time the emporium of a vast commerce. "We read of the thousands of weavers who converted the raw materials of foreign countries into rich and costly fabrics; of the ware-houses in which the goods were housed and the canals by which they were transported to and from the Indus: but the traces of such things alone remain. An extensive cemetry, adorned by some chaste tombs, serves to inform the stranger of the past opulence of Tatta: the population has dwindled below 10,000 souls; many houses are marked by mounds of ruin; many are uninhabited, but in the rest we yet find the people occupied with the same operations that engaged their forefathers. *The loongees* and cottons are still manufactured," &c. The *loongee*, of which there are 21 kinds, is stated to be a mixed fabric of silk and cotton: 21 descriptions of other fabrics of the place were also found there by Captain Burnes in January last, the following being his estimate of the present trade of Tatta:—

HOME MANUFACTURES.

Loongees, yearly value,..... Rs.	2,15,000
Sooees,.....	1,80,000
Gurbees.....	10,000
Musroo,.....	7,000
Other cloths,...	2,000
Rs.	4,14,000

FOREIGN MANUFACTURES.

British Cottons stamped in Tatta and retailed there.....	19,000
Foreign goods, chiefly British, consumed in Tatta,.....	12,000
Total Rs.	4,45,000

Of the trade of Hyderabad, he observes that some notion of its extent may be formed from the revenue yielded by the farming system. "The duties at Hyderabad of export, import and every description (Opium excepted) are now farmed annually for one lakh and twenty-five thousand rupees Kora, which are about 25 per cent. lower in value than the current 'rupee of India'...."I estimate, that on all sides the imports into Hyderabad by these various channels, amount to more than four lakhs of rupees per annum,"—of which sum more than a third consists of British cottons. We will conclude with the following extract:

"The great variety of cloths at Vikkur excites attention, not from the quality or quantity of the articles but the many places from whence they come. It was hardly to be expected that, in a small bazar at the mouth of the Indus, there should be cloths from Malabar, Cutch, Palee, Jaysulmeer, Upper Sinde and Britain; a closer watching of the caprices of the people and of the patterns and descriptions of cloth which they require, would no doubt prove advantageous. The late investments brought by the Bombay merchants, yielded, in several instances, a clear profit of 12 per cent., on some things double, and the best proof of the success which has attended the speculation, is the establishment of a arrival house, when there are already eight wholesale merchants of cloth resident in Hyderabad. The natives of Sinde do not as yet feel satisfied that they are to enjoy the privileges of our treaties in common with foreign merchants, otherwise I have strong reasons to believe that they would seek to keep the market in their own hands, and when it has made some progress, this I doubt not, will be the situation of the Indus trade."—*Calcutta Courier, June* 20

On a former occasion we brought to notice a report on the trade on the Indus by Captain Burnes. We have now before us a report of equal merit and interest, submitted by Lieutenant Mackeson, upon the nature of the commercial intercourse between Loodhiana and the towns on the Sutlej, Ghara and Indus. The report begins with a sketch of the state of things prior to Lord William Bentinck's treaties with the Ameers of Sind:

"Prior to the treaties entered into by the British Government with the Rulers of Lahore and Bhawlhur in 1832-33, the River Ghara and the Indus above Mithankot do not appear to have been much used as channels of com-

During the time, however, that the province of Dara Ghazi Khaun was held in farm by the Nawab of Bhawlpur, a trade trifling in amount is known to have been carried on by merchants at Mithankot, which extended to the Cities of Shikarpur and Dara Ghazi Khaun on the Indus, Shujabad and Multan on the Chinab, and Bhawlpur on the Ghara. Rice produced in abundance and of superior quality in the neighbourhood of Jhujha, and Khanpur (towns on the left bank of the Indus in the territory of Nawab Bhawlkhan) was exported to Shujabad in the Panjab, and the returns were in coarse sugar (shakar) and molasses (gur) wheat from the banks of the Indus below Dara Ghazi Khan and indigo from the Douba of Multan and from Khanpur were also sent to Shikarpur. From the neighbourhood of Shikarpur Mahin (phitkari) alum (gogal), bdellium, (gandhak) brimstone, (bakir, mithi) an earth brought from

bakkar, and occasionally almonds and other dried fruits were brought to Bhawlpur.

The duties levied on the above trade were enjoyed as a grant from the Nawab of Bhawlpur by the Pirs of Mithankot (Musalman spiritual teachers) and farmed by them to merchants. They themselves also engaged in the trade, and owing to the respect paid to their religious character by the rude Beloch tribes inhabiting the banks of the Indus between Dara Ghazi Khaun and Shikarpur, boats furnished with passports from them were allowed to pass without molestation. The boats employed in the carriage of the trade, with the exception of a few belonging to the Pirs, were the property of boatmen residing at Mithankot and Chachran on the Indus, and were hired by the voyage. From Bhawlpur to Shikarpur, a distance of 160 koss, the charge was 5 rupees per *pot* (load of 22 to 24 pakha maunds) of kirana (groceries) and half that sum for an equal quantity of grain. From Mithankot to Bhawlpur, Shujabad, and Dara Ghazi Khaun, distances of 60 koss, the charge was 1 rupee per *pot*, of 22 maunds of grain, and the same for half that quantity of groceries. The boatmen were supplied with rations by an agent of the merchants who accompanied the merchandize as supercargo, as long as the voyage continued.

On the seizure of the Dara Ghazi Khaun province by the Sikhs, (in 1841) the Pirs of Mithankot took refuge on the left bank of the Indus, and the trade ceased to be carried on. The boatmen formerly employed in it now gain a scanty subsistence in transporting grain and fire-wood up and down the river.

When the treaties alluded to gave promise of better security and a stable and more equitable system of duties at fixed rates, the Loodhina merchants, at the suggestion of Captain Wade, whom they accompanied in his mission to Bhawalpore in 1832-33, made their first experiment, proceeding down the river as far as Shikarpoor. Their next voyage extended to Khanpoor below Mithenkote; and in the third, which is stated to have been their last adventure in 1835-36, some of them went no farther down than Hyderabad, meeting there the boats of the merchants at Bombay then ascending the Indus for the first time; "but others embarked cargoes at Shikarpoor, part of which they disposed of on the way downward; and they carried the remainder as far as Ghore Bore, the present port on the Indus. A detailed and very copious list is also given of the various articles intended to be embarked in eight boats on the next expedition down the river, destined for the various towns in its course. The principal article in the list is sugar, soft and coarse and in the state of *goor*; the rest being cotton (for Hunderabad only), salaumoniac, borax, oil, spices, turmeric, lac, safflower, ginger, cardamums, and a great variety of minor articles, (many of them with native names only), the most important of these in value being Benares kinkaubs to the amount of 3,500 rupees. Sugar is stated to be extensively cultivated in the vacinity of Ruhon, a town 14 miles from Loodhiana on the right bank of the Sutlej, and to have been hitherto conveyed by land on camels by the circuitous route of the forts in the desert to Bhawulpur and Shikarpoor, and also to have been sent across the river to Mooltan.

"The cane is not cultivated to any extent on the banks of the Sutlej or Ghara below Lodiana. In the vicinity of Multan and Shujabad it is more plentiful, and though of a small kind yields a large quantity of sacharine matter, but a very coarse kind of sugar unfit for exportation, and molasses, are all that is prepared from it, and the duty on its cultivation is heavy. At Shikarpoor, I am told the cultivation of the cane has only very recently been introduced. Molasses (gur) is now prepared there, but of an inferior quality. Hitherto the communications by water have not been sufficiently frequent or regular to have any material effect on the trade by the land routes, the merchants, engaged in which, from their longer established connexion, can more readily supply any sudden demand in the market, and limit their speculations when it is overstocked. In the course of a few seasons more, however, it may be expected that they will be obliged either to adopt the route by the rivers or allow themselves to be supplanted in the trade by the merchants of Lodianah. The towns of Firozpur, Kasur, Pakpatton, Khairpur, Bhawlpur, Uch, Khanpur, Shikarpoor, with the country surrounding them, and even Hyderabad, now supplied by a land route via Pali from Bombay, ought to depend on us for their supplies both for consumption and exportation, and offer an improving market the further our merchants proceed."

The poverty of people has not allowed them the luxury of brass or iron vessels for culinary purposes, little demand was therefore found for the metal wares sent to Bhawulpur on the first adventure. But foreign metals are expected to find their way more cheaply up the river from Bombay:

"Iron ore is found in considerable abundance in the hills to the north and north east of Ropar on the Sutlej. It is brought down to Sisa, a mart for hill produce in our own provinces, and thence distributed into the plains; it has not however, hitherto been exported westward, and Bhawlpur derives its supplies chiefly from Delhi by the route across the desert. Wrought iron is sold in the bazar at Bhawalpur 1½ seers per rupee of Ahmudpur currency, equal to 12 annas Kaldar. Unwrought iron may be purchased at five seers per Kaldar rupee, ninety-five of which go to a seer. These prices do not differ materially from those of Lodiana, but the commodity is scarce and only procurable at the larger towns, which places it quite beyond the means of the same classes, who have it in general use in India; and many are the inconveniences submitted to, and the rude contrivances had recourse to by them for the want of it, both in

their buildings, in their household furniture, and the necessary implements of labor and mechanism. Door hinges and padlocks with iron fastenings, may be mentioned as things wanting even in the houses of the wealthier orders; an investment of them made up after a plain and cheap pattern would be likely to find a ready sale."

The following remarks regarding Opium have attracted our notice; the writer has apparently not given much attention to the financial point of view:—

"A small quantity of the hill opium was taken down the river by the Loodiana merchants on their first voyage and disposed of at the different towns, but owing to its not being sufficiently refined or to a different mode of preparation it did not meet with a favorable sale, and the experiment has not been repeated. Many hundred maunds of the drug, grown under our hill provinces and in the protected Sikh States, are annually sent through those countries via Jeselmit and Sindh to Damaun for exportation, notwithstanding the agency on the part of Government at Dera Dhoon for the purchase of it, and unless prohibited by heavy duties it will eventually find its way by the river route to the ports on the Indus. At present the quantity grown in the Punjab is trifling, but applications have been made by merchants of Amritsar to ascertain the price which Government give for it at Bombay, and whether it would be considered there as contraband if exported from the Punjab by the channel of the rivers. Perhaps nothing is better calculated to give an impetus to the trade on the Indus than to encourage the exportation by it of this valuable drug."

Saltpetre is said to abound every where on the banks of the Sutlej and of the Indus below Mithenkote, but for want of demand at present little is prepared. The following remarks (with which we must conclude our extracts,) are certainly very just, and will lead us not to be oversanguine in expecting that trade will at once desert existing channels and rush into the Indus, while interests and prejudice combine to keep open the channels it has formed for itself under a state of things somewhat different

"Adverting to the principal advantages of a lighter carriage being in the donward navigation of rivers, and that the extent to which the countries we speak of can purchase our lighter and more costly manufactures must depend on the facilities they have of disposing of their raw produce, it appears of importance to encourge as much as possible in the first instance, the transport by the rivers of heavy, bulky and cheap merchandize: a lighter rate of toll that would allow of the exportation of wheat, rice, grain, ghee, wool, rock salt, hides, &c. to Bombay, would insure a profitable return on the metals, chintzes and coarse woollens of Europe, and the spices of the eastren isles, articles of which there is at present most need, and of which the consumption is general and certain. With respect to the existing trade of Europe with the countries on the Indus and other rivers of the Punjab in the lighter and more costly fabrics, the attempt to divert it from its present channel, unaided by European enterprize and European capital, must be of doubtful success. The Marwari merchants, who conduct it by the land route, have no interest in adopting that by the river. The advantages which the water carriage holds out in point of lighter duties could not compensate with the competition it would expose them to, for the loss of the monopoly they at present enjoy; while if we look for its adoption to other native merchants, we shall not find them willing to trust valuable investments to the risks of a river navigation till further experience in cargoes of less price shall have given them more confidence in its safety."

The report concludes with an account of the number (surprisingly small) and sizes of cargo boats available for hire, from Mithenkote upwards, and with some useful information regarding the proper seasons for ascending and descending the river, the distances of time and space, and the names of the towns on its banks. —*Calcutta Courier, October* 14.

THE TENASIRIM PROVINCES.

11th March.—I proceeded in the boats today up the river, keeping always close to the British side. Low country, irregularly formed, solitary lime stone rocks on both sides, continue to form broken chains, but diminishing in size *andbt*. The country near the river banks, alluvial and very fertile, becomes by and by, higher; some sandstone conglomerate visible under the alluvial strata on the most elevated places. Plantain plantation on many spots, and much more cotton cultivation than before. The river forms several islands partly cultivated. We entered a small branch of it, and halted in a village called Muigan, distance about 10 miles, inhabited by Carians, which I saw here the first time; but this quite distinct people is here much mingled with Burmese, whose religion they have in the lower parts adopted. In their features they are a very different race, as well as in their manners; less Mongol-like, fairer, but much more children of nature. A pagoda was a short time ago built here, and a stationary house for their priests. The people expressed their inclination to remain at this place. A great step towards civilization, as their custom, of

continually changing their abodes, and not having any home, renders them inaccessible to amelioration. Much annual cotton is cultivated on the river side, chiefly of the islands. Petty merchants come from Moulmein in boats, and buy it on the place. The inhabitants affirm, that they could cultivate three times more, if demanded, and half the price in money advanced.

12th March.—I made an excursion in the country in a N. W direction. Plain with small trees and much but thin bamboo of an inferior quality. Houses containing 2 or 3 families together, spread throughout, and far inland. Many buffaloes, the most valuable property of the people, 500 feet high mountains on both sides forming a kind of inclined valley covered with very valuable timber, but no teak.

13th March.—Excursion to visit the first large teak forest about 8 miles distant. Teak trees occur already close to the S. W. of the village intersperted with other trees, but of a small size. The property called teak forests are already very much cleared. Very few large trees remain, more have been spoiled than used by an unsystematical cutting. Trees closer to the water are of course preferred on account of the difficult transport of others. The trees are dragged by buffaloes to the river side Now the people do not cut more here, as they get better timber higher up. The teak grows generally close to the river on plains containing clay and sandy particles, and seem not to like rich soil or mountains, but an elevation just above the alluvial soil. I observed that the lower vegetation is always more scanty in teak forests than in other places.

14th March.—Excursion in a W. direction over the isolated limestone mountain. Great difficulty in coming over, on account of no footpath; high perpendicular walls of stone masses, and a rich growth of bamboo, the most difficult barrier always to overcome. Beautiful trees in the chains, chiefly the zukousain, a species hitherto entirely, like the Thingan, neglected, but by the natives in several cases preferred to teak. It is the best for every kind of work, which requires flexibility and durability of wood. Several of those trees grow 200 feet or higher. A large cave in the rock filled with stalaitists, contains water estimated as curing all kinds of diseases. Its examination, which occupied me the rest of the day, shewed nothing particular, some sulphate of lime, some carbonic acid, and some magnesia, but all in very small quantity.

15th March.—I moved on to-day at 7 o'clock in the morning. We were obliged to go back the same creek to come in the main river. The tide runs as far up as about this place. The river becomes more rapid; average 4 knots; breadth about 1-3 of a mile depth; in some places considerable, in others, too shallow to carry any vessel of burthen; only rafts and the Burmah boats hollowed out of one tree can proceed higher up. Chains of rocks pass under water across the river in several places and form currents and eddies. Features of the country the same throughout; beautiful cultivable uniform plains all covered with wood on both sides, here and there prominent isolated limestone rocks. We pulled the whole day, and arrived in the evening on the island of Kolounkhinn.

16th March.—Kolounkhinn is the largest island in the river. At the particular request of Mr. Blundell, I stopped here a day to examine it. It contains throughout alluvial soil, very rich and light; a good mixture of clay and sand with abundance of lime; and has the double advantage of having sufficient moisture throughout the year, and to be high enough, to be not subjected to the annual inundation of the river. But much of the best land is lost by frequent inroads of the river at high water, which have formed many channels either filled with stagnant water or with mud. Almost the whole island lays waste. Beautiful timber trees interspersed with a few teak grow in some parts abundantly. In other parts the forests are burnt down, and have given place in low tracts to thick jungle; in higher parts to exuberantly growing tiger grass, filled with deer, hogs and other wild animals.

17th March.—We went on again the next morning. We were obliged to go back round the southern corner of the island to come in the main channel. The stream is very rapid; the men were obliged to drag the boats over the most difficult places. Pulled the whole day and made scarcely 6 miles. Remained the night close to a Carean village without name.

18th March.—Proceeded again in the morning, soon afterwards we came to a place from where now teakwood is brought to Moulmein. It is very good, and estimated strong, and of the best quality, but its supply will not last long. If the demand for teakwood continues as now, which is almost certain, the forests near the river will be in 15 or 20 years pretty void, and this estimable branch of trade must by and by expire. Went on and halted on the island of Kokri to give the people rest, who had very hard work to pull against the stream. The first chain of mountains begins behind Kokri and the banks of the river become rocky. The formation is either solid and compact limestone, or it makes a transit in Mica slate, which predominates 10 miles higher up entirely. We encamped this evening on the mouth of the river Yongbyn, on a place bearing entirely the features of a subalpine country. The high mountains forming the northern frontier of the British possessions elevate their heads above the lower chains about 600 to 1000 feet. In the vegetation a great change was perceptible, many different trees and shrubs, which were all gathered in flower.

19th March.—I did not stop because I wished to go as high up in the mountains as possible, but I could not go further than about ten other miles; my people positively declined

to bring me higher up. We dragged with some difficulty the boats over the first cataract, and I was in hopes that the river would become smoother beyond it, but it does not cease to wind through a very narrow valley. The banks are often perpendicular walls of Mica slate fantastically formed; its breadth is sometimes only 30 yards, very deep, but many rocks cross it under water in all directions.

I was so happy as to make this day a probably valuable discovery of a very rich layer of iron-stone. The presence of iron manifested itself already 12 miles below, chiefly on the Burmah side, in the form of red oxyd. In other places isolated masses were found, chiefly in a state of corrosion, and this led me to a closer examination of the banks, till I found this rich layer of about 50 feet breadth reaching in the river. How far it reaches in land in depth, I could, of course, not determine. I collected more than 100 specimens, a part of which I intend to send to Calcutta, to get the opinion of distinguished geologists.

We encamped on the banks in a perfect wilderness. No vestige of human habitations. Tigers very numerous, following us, but never attacking, roared the whole night close to our place. The Burmese, who were never so far up, were all frightened.

20th March.—My intention was, leaving the boats to cross the interior in an easterly direction; but it was not possible to persuade the men to do so. The gaun or headman who accompanied us, and who had a knowledge of the country, declared it from this side not easily passable. I was therefore, though reluctantly, obliged to return to the Youghyn, to go from there in the interior. Returning I determined the position of the iron mine, and brought on things, in order to begin to-morrow my inland journey.

J. W. Helfer, M. D.

On the Yengbien, 20th March, 1837.

[*Englishman.*

PARSEES' LANDED PROPERTY.

The draft of an Act for securing to Parsees the undisturbed possession of landed property, which may have been transmitted, within the limits of the King's Courts, according to their national usages, has just been read in the Legislative Council and published for general information. The occasion of this law is explained in a series of resolutions. It is much to be regretted that the Government Regulations passed since the new Charter came into operation, have been deprived of the invaluable advantage of a preamble, and that those who are called to yield obedience to them are left to their own conjectures for the reasoning upon which they are built. That the Acts of the Legislative Council have been generally concise, and often worded with great accuracy, is willingly allowed; but this is a poor compensation for the absence of a preamble. For want of this explanatory introduction, the reasons which gave birth to the law, even if ordinarily known in society at the time of its enactment, will soon be beyond the reach of discovery, and thus the object for which the law was enacted will eventually be defeated, and the law itself become a source of injustice by its application to cases which it was never intended to embrace. If it be intended to give to the execution of laws, the aid of public opinion, and without this they speedily become inert, a preamble stating the occasion in which the new rules originated, is of the first importance. Indeed the Resolutions which precede the present act afford the strongest argument in favour of a preamble when they state the necessity of giving the people *confidence* in the institutions under which they live.

The introduction of the words *Chattels real* and *Free hold property* into an Act intended for the benefit of Asiatics is liable to serious objection. These terms belong strictly to the circumstances of landed property under the English law, and there is no analogy in the nature of Indian tenures by which the conditions they imply can be conveyed to the mind of a native. If it be said that it was difficult to give any adequate paraphrase of the words; it will naturally be asked how a Native is likely to comprehend that which it baffled the ingenuity of the legislators to express in intelligible language. If, on the other hand, it be said that an explanation of these terms would have lengthened the enactment, it should be remembered, that, even brevity ceases to be a virtue when it defeats the object of a law, by making it incomprehensible.

In this enactment it is manifestly the object of Government to confer a boon on the Parsee community, and to obtain a return of gratitude and confidence; and for this purpose, forsooth, the Parsees are told that their landed property shall be taken to have always been *Chattels real* What Parsee will comprehend the character of this species of property?

The second proviso of the new Act, may possibly be intelligible to a European lawyer, but it is to be regretted that it was not put into such simple language, as to be within the comprehension of a Native. The enactment consists of one single sentence, and we defy the most learned oriental scholar to translate it into any Asiatic language, with even a hope that it will be understood to such a degree as to enable a man safely to act on it. To

give a Native a complete idea of this rule, a comment three times its own length would scarcely be sufficient.—*Friend of India, Feb* 16.

Our lawgivers seem determined to adhere to the system of legislation by driblets. The general view of a subject, the promulgation of a comprehensive enactment, embracing a principle, appears to be beyond them. They are content with legislative patch-work; they meet immediate exigencies by special edicts without giving a thought to future contingencies, which, in all probability, may cause it to be much regretted that the special act had not been rendered general. In the passing laws for the benefit of individual classes of the community, they are guilty of positive injustice to those who might be, and have an equal right to be, included in the operation of the enactment, but whom this partial mode of lawgiving subjects, comparatively, to disadvantage. When A. B. and C. are similarly situated, the law which confers favour upon A. only, disfavours B. and C. But, it is said, "the law regards property, and A. is rich whereas B. and C. are poor." This may be, but surely the shilling of B. and C. is as much *property*, as the pound of A. and is comparatively of greater value to them than is the greater sum to him; moreover, granting that the amount of property of B. and C. be *now* small, is that any ground for the assumption that it is to continue so? The arguments in favour of partial legislation are; 1st. Unjust, for in law all men are equal. 2ndly. Absurd, supposing a foreknowledge of events, and involving the assertion "what is now must be always." What is the justification of a system which argument proves unsound? Simply this. "A. was the only one of the three who asked for the law, and when B. and C. express a want for a similar one, we can make it." This is legislating for a community, and paving the way for the introduction of a code!

The observations by the *Friend of India* upon the draft of the Parsee inheritance act are, as far as they go, most sound and sensible. The prefix of a preamble stating the reasons for the enactment is justly noted as a great improvement. It is called a *resolution*, in order to quibble off the confession that it was found necessary to re-adopt the system of *preambles*, which Mr. Macaulay endeavoured to explode. This is somewhat of a *little* manœuvre, but so long as the thing itself be obtained, we care not what it is called. The substance of the resolution is good, the intention excellent, the language clear; the act itself is execrably worded. English law slang is introduced for the purpose only, it would appear, of mystification, and the second clause of the act is, as our Serampore cotemporary remarks, such as would baffle literal translation, seeming calculated for the perusal of English lawyers rather than natives of India, utterly unskilled in legal technicalities. The main defect of the law is, however, as above noted, its partial character. Why the Parsee should be admitted to rights from which the native of China, the Mug, and the Burmese is excluded, the Ligislative Council best know. The injustice is easily remedied. Another clause would not add very much to the length of the enactment, and perhaps, while Mr. Macaulay has before him in the very *Gazettee* containing the Parsee draft, evidance (Act I. of 1837) of the consequences of his intense passion for brevity, he will consent to sacrifice his legislative hobby for the benefit of some of the community for whom he enacteth laws. *Two* acts in the course of eighteen months, to enable one Calcutta magistrate to exercise full powers, ought to show the extraordinary member that necessity *will* have law, and that in future acts he had better anticipate her requisition as the shortest method in the end; for to insist on the argument (which seems most weighty with him) as one new clause is shorter than one new act, so is it more expedient to expend thirty words in making a law comprehensive than to preserve its conciseness at the cost of its efficiency.

The drafts of intended acts are published for comment and suggestion. Government has already availed itself of the correction of its legislative errors. We sincerely trust that, on the present occasion, the opportunity of extending a valuable privilege to persons, living under British protection, will not be left unconsidered, and that act of 1837, recast and amended, may give the first example of a more rational system of legislation than has hitherto prevailed under the new regime: a system untrammelled by the peculiar crotchets of individual legislators, calculated to work for the benifit of the many, and not, as at present, on the special, expediency-principle, devoted simply to quiet the complaint of a class, smooth down for the nonce an occasional difficulty.—*Englishman, February* 20.

Let us resume the notice of the proporsed Parsee inheritance Act. The law has been as yet considered under only one, and that the least of the incidental objections to its individuality. The inexpediency of withholding similar advantages with those it is proposed to grant to the Parsees from classes of men similarly situated has been dilated on already in our columns. The question was put under an A. B. C. illustration as an appeal to the common sense of the Legislative Council. We will now briefly submit the subject to them in another form, with intent to show additional cause why the provisions of the proposed Act should be extended to all classes, and made general.

We will not suppose that, in considering the tenure of real property in those parts of the British Indian possessions, which are subject to English law, the Legislative Council of all India can have utterly pretermitted the notice of the tenure of such property in Calcutta, though they did only undertake to remedy the existence of evil in respect to it, chiefly

because of the interests of certain wealthy proprietors at Bombay. We will not suppose that they were ignorant of the difficulties in which this subject is involved, or that they failed to consult the opinions of learned judges recorded on the subject, and to profit by the legal acumen exhibited in discussing the question. The opinions on this point have been most opposite, and the employment of some means for reconciling them has long been acknowledged as expedient, and was positively recommended from the bench of the Supreme Court no less than *eighteen* years ago. This mode of reconciliation was in plain terms the very measure now accorded to Parsees, but denied to all other residents in British India under English law, whose states are, to use the words of the learned judge above alluded to, still "degarded in some instances within the grasp of law, and elevated at others beyond the reach of justice."

Now, Bentham says, "I object de toute bonne foi pent sereduire à une seule expression, PREVENIR UN MAL: c trial, en derniere analyse, de quelque nature qu'il soit, c'est tout ce qui est *peine*, ou *perte de plaisir*." (Traitè di Legislation.) There are some Benthamites among the Legislative Council, and they will of course allow us to judge them by the authority of the philosopher they follow. In doing this then, we find them guilty, by this Parsee inheritance Act of a breach of the fundamental, rules on lei which they should legislate. They omit *to anticipate evil* by neglecting to generalise the remedy which they consent to apply to the individual exhibition of a universally felt disadvantage, and further, they impose upon all others than those they *benefit*, the continuance of that evil, obliging them to endure that *peine* ou *perte de plaisir*, from which it should have been their duty to return them. The Armenians have in this respect suffered above other classes. They, in a recent petition, have, we hear, especially enlarged on the precarious condition in which they stand with regard to the law of inheritance and succession to property, and have prayed tha some fixed law might be assigned them, for (and they were worse off herein than the Parsees,) the Armenians ceased to be a nation in 1375, and no traces of their own law is now to be discovered. It is most extraordinary that our legislators should have taken no notice of the case of so large, respectable, and wealthy a class of the community as is the Armenian. Is each section of society to have its own Act? Are we to have an Armenian Act, by itself Armenian, and a Chinese Act, by itself Chinese, or a Mugh and Burmese Act, individually for the benefit and special use of Burmese and of Mughs? "Legislation," says Godwin, "as it has been usually understood is not an affair of human competence. Immutable reason is the true legislator, and her decrees it behoves us to investigate. The functions of society extend, not to the making, but the interpreting of law: it cannot decree, it can only declare that which the nature of things has already decreed, and the propriety of which irresistibly flows from the circumstances of the case." (Pol. Justice.) If the nature of things has decreed, as has been acknowledged in this case by the Legislative Council, that one class should be relieved of an evil, surely the decree must be general for all classes as regards that evil under which all commonly suffer. The celebrated decision by Sir Francis Macnaghten, in the case of Joseph *v.* Ronald and others, bears directly and immediately upon the question of the generalisation of this Parsee Inheritance Act, whereby immoveable property shall be taken to be of the nature of chattels real. These, Sir Francis, in his judgment on the case above cited, speaks of in the following terms with relation to the term, "*effects*" in the cha ter. "Real effects and real chattels I take to mean the same thing—any tenures in lands short of freehold; I conceive, to be real effects and real chattels," and he argued with reference to the decision in the case Savage *v.* Baucharam, that if a pottah, which is the general if not universal instrument by which lands are held in Calcutta, conveyed an estate in fee simple, then an execution could not, under any circumstances, make a title to the estate, and that it could not be sold in execution for debt. But considering "such grants to convey a chattel interest only, I think lands held under them may be sold as assets by executors, and also that they may be seized and sold in execution." The arguments employed in the consideration of this important case it is not our object to enter into. We could but repeat what the able judge has left as his opinion, stated, as it is, at great length, and after the fullest examination of the case, Sir Francis Macnaghten's decision was set aside, but that it was a strictly just one there is no doubt of. His decision, published in the form of a pamphlet, has now become so rare, that we shall not commit the sin of trite quotation by transcribing his brief forcible remarks, as to the nature, the expediency, and the results of an alteration in the tenures above named. "I presume," says he, "that the grantors and the grantees will be equally well pleased to have it declared that a pottah in this town shall be considered as a term for 1000 years—if that be not sufficient it may be enlarged. A legislative enactment to this effect will ensure at once every purpose proposed by the doctrines of inference or construction. It will sweep away every evil which arises from an imaginary estate—instead of a shadow we shall then have the substance, and the inbertitude of implication will be exchanged for the steady and undeviating operation of law.

All difficulties will cease, all rights will be ascertained, and all property will be legally subjected to every just demand."

The above remarks and suggestions have been thrown together in haste, and such loose fashion as is usually observable in the ephemeral diatribes of a daily paper. To discuss the subject and enter fully into it would require

a pamphlet and no less. To instance the singular supineness of the Legislative Council with regard to it, does not require *quite* so much argument, or one thousandth part so many words. What unknown drawbacks may impede the progress of common sense legislation, we of course know not; but this we do know, that the English law, so severely censured by an English judge of the Supreme Court, as ruling in the important matter of immoveable property in Calcutta by "*the doctrine of inference or construction*," is still left to this day inferential, and construction by the Legislative Council appointed to amend the laws of India; while this council is applying to *one* section of the people subject to its acts a remedy for an evil of a similar nature in the case of similar things. It remains for our legislators to show cause why the law should not be extended.—*Englishman, March 7.*

BABOO RUSSOMOY DUTT.

It is quite an erroneous idea to refrain from commenting on public acts in consequence of the share which our personal friends may have in those acts. We believe a public writer is bound, notwithstanding this circumstance, to give expression to his sentiments on subjects of public concernment, whether a friend or an enemy be the principal party in it Baboo Russomoy Dutt, a personal acquaintance of ours, we are glad to find, has been nominated to fill the place of Mr. Bruetzcke, on the Bench of the Court of Commissioners for the recovery of Debts, until that gentleman's return from the Cape, to which place he is about to proceed for the benefit of his health. The Baboo will, no doubt, on the occurrence of the next vacancy have a permanent seat on that Bench.

The duties of a Commissioner of this Court require talents of a peculiar character for their proper performance. The people who are generally the parties to the suits instituted in this Court, are Natives of the lower order, whose manners and habits are widely different from those of the higher class of Natives with whom alone European gentlemen have opportunity of associating. A European appointed to this situation has, therefore, in the first place, to learn the character of the people with whom he is to transact business and on the details and merits of whose dealings he is to pronounce judgment. It must certainly take some considerable time before he acquires this experience, without which his decisions, though conscientious, may often be erroneous. The appointment to this situation of a person like Baboo Russomoy Dutt, who, to an extensive knowledge of his countrymen and their languages, unites no ordinary acquaintance with the English language, cannot but be looked upon as a most judicious measure, calculated to insure the ends of justice. The disposition too, of Baboo Russomoy Dutt, eminently fits him for the situation to which he has been appointed. His complete command of temper and patience in the investigation of any business committed to his care, afford the grounds of hope that, with these and his other qualifications, he will fulfil the duties of his vocation with credit to himself and benefit to those who will come to him for justice.

There is another reason which induces us to laud this measure. We recognize in it the practical operation of a very important provision of the New Charter, as regards the Natives of this country; we mean their eligibility to higher branches of the service than those they were before allowed to enter; particularly as we are certain the person now appointed will do justice to his trust, and thus confirm the favorable impression in behalf of the Natives of this country, wich has led to that provision in the Charter.—*Reformer, Sept. 10.*

REDUCED TO READ POSTAGE.

We must mark this day with a white stone. From this day the Indian newspapers, parcels, and letters will travel all over India at a greatly reduced rate of postage; from this day, the necessity for paying the letters addressed to friends and constituents on *their* affairs is at an end: from this day the foolish and pernicious practice of preserving a distinction in the rates of letter carriage, &c., at the different presidencies, ceases to operate. A greater reduction in the scale of newspaper postage would probably have been productive of advantage to the Press, the revenue and the public, but we are content for the present with what has been conceded, feeling satisfied that more liberality will be shewn in the matter when the effect of the present reduction has been made manifest.

Our Mofussil readers have had before them for some time an advertisement shewing what the cost of the paper will be to them *if the postage thereon be paid at Calcutta.* We need only add that, if the effect of the reduced charge be to increase the circulation of this journal to the extent anticipated (say 1,200 numbers—it has now nearly *one thousand*) a diminution in the cost of the paper may be expected. It is not our intention to enlarge the *Englishman*, merely because a little more weight is now allowed to each cover, but we purpose using a better description of paper, as soon as we receive our stock of type, now daily expected, and we may also be occasionally induced to give an extra half sheet when there is a large supply of news or a superabundance of advertisements.

As we may not have occasion to return to the subject of the Post Office Act, we avail ourselves of this opportunity to repeat our acknowledgements to Messrs. Crawford, Babington, and the other members of the Post Office Committee—not forgetting their indefatigable Secretary, Capt. Taylor,—for the boon their joint labors have conferred on the Indian community.—*Englishman, Oct. 2.*

THE NEW POST OFFICE ACT.

We had the good fortune to get into yesterday's paper the chief part of the new Post Office Act, which, if nothing occurs to prevent it, is to come into operation on the 16th of July next. We shall publish to morrow the tables shewing the new rates of postage, from which it will be seen that a considerable reduction is to be made in the expense of conveying correspondence and intelligence.

The first five clauses of the New Act abolish all private dawks which are not carried on under a special license from the Government. We are not aware that the existence of these dawks has been productive of any great public service further than to stimulate the activity of the Government runners on the same lines: an advantage counterbalanced by the necessity Government has been under of keeping up high rates of postage throughout the country to cover the injury done to the revenue by competition in a particular quarter. The preservation of the monopoly is worthy of public countenance for the sake of the general reduction of rates which is to accompany its establishment.

The VI. clause in the New Act is a very important one, and the merchant and tradesman will hail it with gratitude.

"VI. And it is hereby enacted, that inland postage duties shall be levied on the conveyance of letters and packets by the Government post at the rates set forth in the schedule marked A. which is annexed to this Act, *and the full postage shall be paid either on receipt or on delivery* AT THE OPTION OF THE SENDER, and that if the thing conveyed be transferred from a post office, in one presidency to a post office in another presidency, no additional charge shall be made on account of such transfer.

The "option" here conferred has long been a desideratum. There is not perhaps an item which presses more heavily on the trader than the postage he is obliged, by the *present* rules, to pay in advance, on every letter he may despatch. One-half the letters written by agents and others are on matters in which their constituents have a greater interest than themselves, and though they may *charge* the postage to the party most concerned, yet how small is their chance of *recovering* any portion of the outlay, when they have not an account open with the party of sufficient magnitude to make it worth their while to attend to such items! Tradesmen suffer in a greater degree; they are obliged to pay for asking for their own dues, and think themselves too happy, if, after half a dozen dunning letters, they obtain a proportion of their just claim! To them, therefore, the above clause will be a vast relief, besides rendering their income more rapid, for when debtors find that they themselves have to pay for every call upon them which may have been rendered necessary by their negligence or extravagance, they will probably make an effort to remit a proportion of their means, instead of committing the "little account" to the winds or the flames, as is now too frequently the custom. We have no doubt that the encrease of dunning letters consequent upon the present clause will make the clause itself extremely unpopular with the distant debtors, but unless some better reason than the annoyance it may entail, be given, for its rescission, we trust it will continue a part of the New Act. To gentlemen disposed to contribute to newspapers and periodicals the provisions of the clause will be acceptable, in as much as they will no longer be called on to pay the postage of their own contributions. It is obliging in them to impose a voluntary tax on their own time. It is hard to be taxed in purse also.

The 15th clause, so far as the due delivery of letters is concerned, is a very proper one, but there is a phrase in it that requires a little explanation, viz. "the said commander shall act according to such directions as he may receive from such post master general." &c. Our Indain lawgivers have already become celebrated for their brevity, but though brevity is the soul of wit, it is not either the body, soul, or spirit of law. What directions are the commanders to be subject to under pain of 1000 rupees fine? May the post master order them back to England, or to remain at anchor in Madras roads, or to proceed along the coast and deliver more mail bags? If none of these things are meant, why is not the intention of the law clearly expressed? And why is it not said "*directions in writing*" that the commander may have the means of shewing whether he has conformed to them or not? The fines incurred under this act are to be levied on conviction before *any magistrate*; a single justice of the peace then is empowered to fine any commander who may have disobeyed the directions of the post master; that is stood out to sea when he could not remain at an anchor, or anchored when he could not get to sea. Clear definitions in such cases are worth the trouble of a few extra lines of statute.

The 18th clause contains the liberal reward that is to be given to the commander for risking the penalties of the act. *One anna* per letter or *packet*. That is, the same payment for bringing a single letter of a quarter of an ounce weight, as for carrying a whole mail bag of Company's despatches, the freight of which, if shipped as a book seller's parcel, would not be less than twenty shillings. Liberality and justice are here apparent, and not much less so in the ship letter postage charged here to the public for doing nothing except paying the above *one anna* to the commander who has incurred the trouble and responsibility or risk of penalties.

The 20th clause, however, we consider the most objectionable of the whole, for it enacts that every commander shall receive on board of his vessel such packets as he shall be required to receive, and shall give receipts for the same. This clause is unnecessary, because not one vessel in a hundred refuses to take letters, and unjust, as it is a compulsory interference with the rights of private property. If the conveyance of letters by sea is of such importance to the public, it ought to pay a price that will induce people to take those letters, and if it requires the best conveyance it ought to pay an increased rate for the advantage it gains. A compulsory transport service might be justified by state necessity, but there is no state necessity to warrant a compulsory letter service. A very moderate payment will allways ensure the conveyance of letters by the ordinary channels, and the public can have no possible right to the extraordinary ones without the owner's consent. The state contributes nothing to the extraordinary expences of him who fits his ship out for despatch, and whose whole remuneration for his superior skill and cost depends on priority. Yet the state is about to take away these dearly-bought advantages in consideration of the payment of *one anna!* The direct tendency of such an enactment is to discourage that active competition and enterprize, which, if let alone, would improve navigation and increase the resources of the state, by the discovery of new branches of commerce. The legislature would have a better pretext for forcing the mails into a gentleman's private carriage than it has for forcing them on board a ship. For, in the first case, it might allege that the roads on which the carriage travels have been constructed at the public expence; while for the sea the highway of nations, it has done nothing. But let us take an example: one of the opium clipper vessels of which the port has reason to be proud, cost perhaps 25 per cent. more to fit for sea than an ordinary vessel of the same nominal tonnage, and carries about the half cargo. She sails at a greater expence in every respect. The owner, therefore, cannot expect to be remunerated by mere freight: he has two objects; one, the getting first to market, and the other that of carrying the first intelligence of the markets. The ability of his vessel to attain the former object gives him a higher rate of freight than an ordinary ship can command. He may thus earn a few thousand rupees to compensate for the vessel's want of capacity; but a fluctuation in the market may give at one stroke the earnings of a year, and this, the really important object for which the vessel is built, is to be defeated by this most unjust enactment. This is quite clear, that if the law could be enforced, no more clippers would be built; the spur to enterprise being removed, trade would fall back into its old jog-trot state. But the law would most assuredly be evaded, and that alone is a sufficient objection to it. Nothing can be worse in making laws than to frame them so that the people shall at once have the desire and the power to evade them. A habit of law breaking is one which no wise legislator would encourage knowingly, and he will take care to frame his laws accordingly. We may be told that the law can be enforced in this particular, but we see the smile of defiance on the countenance of the clipper captain, who asks, whether the law will compel him to go to any port that he does not wish to visit, or prevent his vessel from being blown out to sea, or from putting back, or from springing a leak, or a thousand other accidents to which navigation is liable? Is it wise, we ask, to encourage a system of deceit on the part of those who must feel that an attempt is made to deprive them of the fair use of their skill and enterprise by legal enactments?

We would propose the following alteration for the consideration of our law makers. Clause XX. "and it is hereby enacted, that when any ship or vessel shall be publicly announced for departure, or shall apply for outward clearance, it shall be lawful for the postmaster to demand of the owner or commander in writing, whether he is willing to take on board letters for the port of his destination, or for any other port at which he may propose to touch; and to require from him a list of such ports; and upon the said commander consenting to receive letters, it shall be lawful to require of him receipts, &c., &c., &c., it shall be lawful for the collector or other public officer to refuse port clearance to the said vessel till the owner or commander has signified in writing his consent or refusal to take on board letters and packets, but it shall not be lawful for any postmaster to send letters, &c. on board of any vessel whose commander has refused to receive them, nor to send letters addressed to any port which the said commander may have excepted from his assent to receive letters, &c." Now this would be fair. If a captain agrees to take letters he ought to be compelled, as far as possible, to deliver them punctually and safely, but if compelled to injure his own private interest for what is called the public good, it is merely an increase of injustice to subject him to statutory penalties for not complying with forms.—*Englishman, May* 19.

The Supplementary Gazette issued yesterday, contained, besides the Postage Schedules, two Drafts of Acts relative to the Customs, one of them directing the substitution of written declarations for oaths, in conformity with recent practice in England; the other giving power to the Governor of Bengal to fix a value for any article liable to ad-valorem duty, by notifying the same in the *Gazette*, subject to modification from time to time, and containing provisions relative to the loading and unloading of vessels and respecting drawbacks, &c. One rather important modification of the Customs Act of last year appears in Section XI. of this new Act, which imposes duties on Sugar exported to Bombay and to all places on the continent of India, on the same footing as

by the Customs Act they were made chargeable on Sugar exported to places other than British possessions. It seems somewhat strange, thus to see the Council of India excluding, as it were, the other presidencies, places under their own particular guardianship, from privileges and exemptions granted to *all other* British possessions; but we construe the seeming anomaly as an indication of a design to accelerate the much desired extinction of the inland duties of Madras and Bombay, and assume that this Sugar tax is regarded as one of the sources from which the deficit is partially to be made good. If however, it be productive to any extent, the complaint of the sister presidencies, that they are excluded from the privilege of importing *their* Sugars into England at the low duty rates, must be considered as altogether an imaginary grievance.—*Cal. Cour., May* 19.

Whilst we congratulate the public and ourselves upon the contemplated improvements in the Post Office system, we may, we think, venture to congratulate the Government, by anticipation, upon the improvement which will ensue in the proceeds of this department in consequence of the new order of things.

The draft of the proposed Act for the future regulation of the Post Office department is preceded by a Resolution, the second paragraph of which defines the object contemplated in manner following:

"The effect of the proposed enactment, in its main provisions, will be to do away with the native distinction which has hitherto existed between the Post Office Rules and Establishments of the different Presidencies,—to equalize the rates of Letter Postage, by raising to some degree, those of Bengal, and reducing those of Madras, and, in a still greater degree, those of Bombay;—to diminish to considerable extent the Newspaper Postage of all the Presidencies, especially for extreme distances, at which the high existing rates of Postage are found to bear with excessive, and, in many cases, prohibitory pressure upon circulation; to allow letters to be sent bearing postage, as well as post paid, and to revise the scale of Ship Letter Postage, which has hitherto been levied in a manner inconvenient to the public, and in an undue proportion to the service performed by the Post Office."

These are undoubtedly very important objects, and the language in which they are touched upon, denotes a liberal spirit of legislation, in which the public good appears to be considered with the same regard that is evinced to the finances; that is to say, with as much regard as can be expected from any Government. But as we entertain doubts whether the net proceeds or profits of a Government Post Office establishment are a legitimate source of revenue, beyond the payment of its own expences, we are extremely rejoiced that the intention expressed in the third clause of the Resolution, that is to say, "that the revenue at present derived from the Post Office but little exceeding its expences, should not be diminished by any new arrangement of rates," is to be departed from. It should never be overlooked that although the Government may derive no actual revenue in the shape of money, yet if the establishment covers its own expences, the Government thereby enjoy the immense advantage of transmitting their mails and despatches free of expence, which is just as valuable, as a revenue equal to what it would cost to convey such mails, if there were no Post Office establishment. With this we think Government ought to be satisfied, for all they take beyond this is a tax levied upon what may be termed without a figure, a necessary of existence, as regards political, commercial, and indeed social inter-

The Act sets out with declaring the exclusive right to convey letters by post within the Company's territories to reside in the Governor-General in Council, by which enactment the various private dawks now subsisting are virtually abrogated. A power, however, given by clause 3rd to the Governor-General to grant licences under which private dawks, as they have been termed, may be continued or new ones established. We believe that this description of post conveyance has been, and is carried on, to a very considerable extent among the native shroffs and men of business; and in a manner that, instead of being hurtful, might in the present inefficient means of internal communication, be rendered an useful auxiliary to our own Post Office establishment. These native dawks spread and ramify into districts and hamlets far removed from large towns and the lines of our own Post Office routes, and could they be brought to form a connected system with our own, they might be turned to very good service. We remark that

part of conveyance of letters by private hand than the British, inasmuch as the latter imposes a penalty upon parties who convey letters *without* hire or reward, which the former does not, and we think the Indian Law in this respect is more just and equitable than the British.

The 4th section constitutes the most important and *radical* improvement of the Act, establishing in fact an "organic change," and that greatly for the better, in the Post Office system. By this section first of all, the full postage, as established by the new rates, on letters and packets, shall "be paid either on receipt or on delivery, at the option of the sender," and the vexatious consequences of a transfer of letters or packets from one presidency to another are done away with. We make no doubt that the beneficial effects of these provisions will be manifested equally in the receipts of the Post Office, and the convenience and advantage of the community. A clog or rather mill-stone will be thus removed from inter-communication by dawk, and we have no

doubt the *impetus* that will be given in consequence to every description of correspondence, commercial, social, complimentary, condolatory, and solicitous, will far more than compensate the reductions proposed to be adopted in the new scale of rates.

On referring to the schedule containing the new rates, we are inclined to consider it in the main, as framed on liberal as well as equitable principles; though there are one or two points in which it may admit of much improvement We cannot understand why two annas additional postage should be levied on a ship letter for which only one anna is paid by the Post Office to the ship owner or master! Is this cent. per cent. additional charge imposed to cover the expence, or trouble in paying the one anna and the interest upon it before it is replaced? or is it to cover the risk of its being refused by the party to whom the letter is addressed? But this is not all; this applies only to *outward* letters: on *inward* ship letters a postage of three annas for the prescribed three tola weight is imposed, encreasing (both on inward and outward letters) one anna for every additional tola weight. On what principle this can be exacted, whilst the owner or master is limited apparently in all cases to one anna, we cannot see. Because the Post Office advance one anna on a letter or a packet, what reason can there be that they should receive two, or perhaps twenty? In all these cases we should say the premium is usurious. We cannot see any just reason whatever why the additional ship postage on a ship letter should be one pie over and above the one anna that is paid to the salt water carrier thereof.

With regard to those clauses of the Act that more immediately affect ourselves, whilst we express our fullest acknowledgments for the boon conceded, we yet think that a *leetle* more might have been granted, and may yet be conceded, without prejudice to any one object of the Act, and with very considerable benefit to the public and ourselves. Instead of the scale comprising a gradation of weight from 3½ tola and rising to 6 tolas and 9 tolas, a scale commencing at 1 tolas and rising to 8 tolas and 12 tolas, at the same respective rates as now contemplated, would give a scale far more justly adapted to the proper weight of a newspaper sheet, and more nearly corresponding with the scale established for European journals, which commences with 6 tolas as single weight.

There is one other point wherein we would venture to suggest an alteration. As respects distance, the limitation to twenty miles, or the first grade of rate, is, as far as regards ourselves, altogether nugatory, as our circulation is carried out by our own peons beyond that distance. If instead of twenty, a distance of one or two hundred miles (say the half batta range?) were fixed for the one anna limit, we should recognise a boon; but as the schedule stands, we have nothing to be grateful for *quoad* the *one anna* postage; very little in the second or two anna grade; though we gratefully acknowledge the important reduction from 4½ to 3 annas in the third and last grade, i. e 400 miles and upwards.—*Hurkaru, May* 20.

The *Englishman* finds great fault with one of the Clauses in the Post Office Act. The following are our contemporary's remarks upon the subject;—

[Here follows a portion of the *Englishman's* article of the 19th of May, beginning at the paragraph commencing with the words "The 20th Clause, however," &c., and terminating at the end of the article.]

The Clause in question is worded as follows:

"XX. And it is hereby enacted, that the commander of every vessel leaving any place in the said territories by Sea, shall receive on board of such his vessel every letter and packet which he shall be required to receive by any Officer of the Post Office and shall sign a receipt for such letters and packets; and that every commander of a vessel who shall wilfully disobey any direction of this clause shall be punished with a fine not exceeding 1,000 rupees."

The objection we take to it is, not that it infringes upon individual rights, but that it does not go far enough; it makes the commander of a vessel liable to a fine if he refuse to *receive* letters from the Post Office, but imposses no penalty for refusal to *deliver* them afterwards at the port or places to which he may be destined. If it be objected, that such penalty would be both useless an I inoperative, —useless, because he would be liable to punishment on the spot according to the laws of the country where the act of refusal should be committed,—inoperative, because such places would be beyond the jurisdiction of our laws; we reply that in some countries, China for instance, there are no penalties, and no means of enforcing the delivery of letters, and that such a law would not be inoperative in the case of a vessel belonging to this port, the commander of which might be called to account every time he returned to Calcutta. Another objection occurs to us in the nature of the fine, a pecuniary fine to be levied before a Magistrate or Justice of the Peace (see clause XXII), no person other than a Post-Master General or Post-Master being competent to institute a prosecution against the offender. Now suppose a ship at Kedgeree or Saugor when the letter-bag is sent down, what is to prevent the Captain from refusing to receive it? he has left Calcutta *for good*, and will laugh at a pecuniary fine which nobody has the power to enforce. The Spanish rule is, not to give port clearance until the Captain's receipt for the Post Office packet is produced. Such a rule would be very inconvenient, indeed, impracticable, in this river; but might not the Pilot be instructed not to take a ship to sea if the letters sent on board were refused? This would be a much more effectual check than a pecuniary fine, and give no trouble to any body except the party offending.

We will now consider the *Englishman's* objection to the principle of compelling her Owners and Captains of ships to carry other people's letters. We of course admit, that it is to a certain extent an encroachment upon private property; but we insist that the encroachment is for the good of the community on the one hand, and consequently as defensible as any regulation of police; and that in so far as encroachment may be injurious to the interests of the individual, it is so only by depriving him of the means of committing a species of fraud upon others, which it should be the study of every Government to counteract. The Merchant who possesses exclusive intelligence, may be said to treat unfairly with every person of whom he buys or to whom he sells in consequence of that intelligence. He is in the position of the professional billiard player who disguises his play that he may be the more sure of his victim, the only difference being that, by the customs of society, the latter is despised as a sharper, while the former is looked up to with respect as a very sharp fellow. The majority of merchants, however *do* set their faces against the practice of excluding letters from their ships, and very properly despise the selfishness of those houses which adopt it; just as the majority of the mercantile people in France during the last war, even in times of inveterate national hostility, would have nothing to do with privateering, which they did not the less consider to be a sort of highway robbery, because it was legalized and encouraged by the state. Such a principle were it generally acted upon, would produce a most inconvenient state of things: the ship owner would have a monopoly of the foreign market, or the Government must establish an universal system of periodical Post Office packets a great cost to the state. Moreover, the partial resort to it, which we hear of occasionally, is usually an injustice,—an ungrateful return to other ship-owners who have freely carried the letters of the house which now refuses theirs. It commonly happens, however, that cunning of this sort outwits itself; the sanguine speculator, greedy of his exclusive advantage, buys in haste and in a mysterious manner, at the top of the market, and when the news he has kept bottled up is proclaimed to the world, he is mortified to find that he might have done better if he had let it out at once and operated more at leisure.—*Courier, May* 20.

The past week has teemed with Drafts of Laws, proposed to be enacted by the Local Legislature, one of which deserves our special notice, and we are happy to have it in our power to say, moreover, demands our warm, though not altogether unqualified, approbation.

The enactment we allude to, is the new Post Office Act, a draft of which is now before the public, and which exhibits more of practical statesmanship, not only than any one, but than the whole aggregate of enactments which have hitherto emanted from the legislative laboratory of the Government of India. It is true that the defects of the old system were so glaring that to make a better was as easy as to make a new one, and could hardly avoid being identical with improvement. Still there is much to commend in the new Act; and the reason that it abounds not in the flagrant anomalies which disgrace many other of the Acts, proceeding from the same workshop, is plainly by way to Parish Church; it has been deliberately, and under a knowledge of the subject, acquired by courteous and extensive previous enquiry and discussion. The provisions of this Post Office system have been founded, apparently, upon the sound principle, that exorbitant duties detract from revenue; and we think this principle might have been acted up to even still more boldly, in the new Act with advantage both to the public and the Government. The following observation, which we take from Mr. M'CULLOCH's useful commercial epitome, although not strictly applicable in all its detail, to the postage of India, is so nevertheless as far as regards them:—

"In point of fact, the post-office revenue has *been about stationary since* 1814; though, from the increase of population and commerce in the intervening period, it is pretty obvious that, had the rates of postage not been so high as to force recourse to other channels, the revenue must have been decidedly greater now than at the end of the war. Were the rates moderate, the greater despach and security of the post office conveyance would hinder any considerable number of letters from being sent through other channels. But, in the estimation of very many person, the present duties more than countervail these advantages, and the number of coaches that now pass betweewn all parts of the country, and the facility with which the law may be evaded, by transmitting letters in parcels conveyed by them, renders the imposition of oppressive rates of postage quite as injurious to the revenue as to individuals."

A considerable reduction, it is true, is contemplated under the new system, but we think even in this point by giving up more in certain cases, the Government would find their receipts more.

One of the chief improvements introduced by the new plan, is the abrogation of the compulsory advance of the amount of postage, upon delivery of the letter at the Post Office, by the party sending it. The old system was in this respect both injurious as well to the Post Office revenues as to individuals, and to the latter, it was in many instances unjust. A thousand instances are constantly occurring, wherein parties at a distance in the Mofussil, write for information or with other views in which they themselves are solely interested, and to reply to such communications the party applied to, must tax himself to the amount of the postage, or be deficent in kindness or courtesy; in which case the Post Office revenue suffers. On the other hand, one very objectionable provision contained in this

Act, is the making it compulsory upon masters of vessels sailing from the port of Calcutta, to receive on board letters and packets, for delivery on their arrival at their ports of destination. There is no such compulsory Law that we are aware of in respect of vessels leaving England, though it would be calculated to operate far less injuriously and unjustly there than here. We believe that one of the main sources of Rothschild's wealth, consisted in the system of rapid communication of intelligence which he had established; let us suppose that he had been compelled by law, whenever he dispatched a courier or a carrier pigeon, to take a government despatch containing the price of stocks of the markets, &c., the consequence would have been that this source of commercial and other advantage would have been entirely foregone by the prudent speculator, and he would neither have made his vast fortune, nor been the first to inform the Government of Great Britian of the return of Buonaparte to France, from his temporary exile at Elba. If it be not actually worth while for a man to build a clipper, for the mere purpose of conveying intelligence, it is very well worth his while in many instances to build for less freight, and greater celerity; but if he is compelled to carry information wherever he goes, which will defeat his object, he will build only for freight, and thus the Government will find that their compulsory law in this subject, it capable of enforcement, will only tend to defeat one great object of a Post Office institution, viz celerity of transmission. Besides all this, however, the odium of this compulsory claim, will be incurred in vain; it will be evaded in a thousand different ways; and being so palpably unjust in principle its evasion will not be considered stuff o' the conscience." Much want of consideration, we are sorry to say, or perhaps we should rather say, much undue and partial consideration, is manifested in the manner in which the privilege of franking is conferred by the new Act. It is impossible that a Judge in his official capacity, with which only the public are concerned, can have more than very few occasions, say half-a-dozen per annum, wherein he either sends or receives by post, communications relative only to public business. It is impossible that a Bishop in his episcopal capacity can have any at all in *his* public capacity; and yet these two functionaries, very well able to pay, are generally exempted from postage, and have the privilege of franking all the correspondence of the whole of their families, comprising love letters, letters of congratulation, condolence, compliment, and about something or nothing. This is really too bad, and as we observe a notice of motion before the House of Commons to "overhaul" the privilege of franking as exercised and abused at home, we think the time and occasion very fitting for our local legislation, "to take the opportunity," of doing the same, and of correcting the list of franksmen."—*Herald, May* 21.

The *Englishman*, is not convinced by the example of the English Post Office rules, (59 Geo. III. c. 3) quoted to him by a correspondent, that it can be just to compel a ship-owner to carry letters for other people. The obligation, says our contemporary, imposed by the Act which opened the trade to India, "was a kind of *quid pro quo*," for the boon then granted to the British trader and shipowner; but here "there is no excuse for thus calling on individuals to work for the State without pay." In this instance, the shaft of the law is aimed at the enterprising, the active,—the men who are most worthy of encouragement, and the tendency of the enactment is to repress those who are the pioneers of commerce. If any person (adds our contemporary, will attempt to defend the law upon principle, we shall listen to him with attention and respect, but to support an enactment which will do mischief by quoting a similar one which happens not to be inconvenient, is not, in our opinion a satisfactory vindication of this kind of legislation."

Now it is upon principle, and upon principle only, that we support the compulsory clause. Every man should be compelled to do his duty to the public. Many duties, some of them even of an irksome character, are compulsory and without compensation. The duties of serving on juries and of attending to give evidence Courts of Justice are of this nature, and there are heavy penalties attached to neglect or refusal to perform them There are, indeed, some duties of humanity, which, presuming upon the good sense and kindly feelings of the community, the legislature has not thought necessary to enforce by penalties, but society visits the miscreant who disregards them, with abhorrence and excommunication A ship meeting another in distress, is *expected* to relieve her if she can; a person seeing another in peril of his life, drowning by the upsetting of a boat, fallen from a horse, or in want of help from other accident, is *expected* to afford

very often happen that we have to regret the want of legal means to punish a brute for neglecting such a duty.

We have shewn that "the British law does recognize the principle of calling on individuals to work for the state without pay." But really it is a farce to call the transport of leters in a ship fitted out for commerce, *working*; and as for the room which the letter-bag may occupy, that and all the trouble of receipt and delivery will be superabundantly paid for by the one anna per letter, which the Post Office allows on letters delivered at any of the Post Offices within the three presidencies, and by the pennies allowed in England, and the right we admit the Captain to possess to exact a similar *freight* elsewhere on delivery—a right, however, which has not been sanctioned by usage If then we admitted the application to this case, of the principle urged by the *Englishman*, "that private rights were never

to yield to public convenience without compensation," we should contend that sufficient compensation is given; for surely the state is not to measure its compensation by the amount of evil a man may do by not performing the service required of him,—by the wealth he might obtain by committing a species of fraud.

The power of doing evil was never yet considered a "vested interest;" and when the Bheels were put down on the west of India, and their chiefs as a matter of policy were taken into pay, the pensions of these were not measured by the average profits of their former plunder. But our contemporary does not ask for compensation; he wants the privilege of carrying secret intelligence, and taking in the ignorant and the unwary. Cunning and deceit are his "pioneers of commerce," and by the same reasoning we should expect to see the laws condemned, that restricted the operations of the smuggler, "being "aimed at the enterprising, the active," and, shall we say? *therefore* "the men who are most worthy of encouragement."

The *Herald* has joined the *Englishman* in upholding the right of refusing to carry letters in a private ship, and illustrates its opinion by a reference to the career of the great *millionaire*:

"We believe that one of the main sources of Rothschild's wealth, consisted in the system of rapid communication of intelligence which he had established; let us suppose that he had been compelled by law, whenever he dispatched a courier or a carrier pigeon, to take a government despatch containing the price of stocks, of the markets, &c., the consequence would have been that this source of commercial and other advantage would have been entirely forgone by the projector's speculator, and he would neither have made his vast fortune, nor been the first to inform the Government of Great Britain of the return of Buonaparte to France, from his temporary exile at Elba."

It is very true that Rothschild did establish a better communication with France and Holland by boat when the London Post Office communications were suspended or ineffective but his object was merely to have the means of communication, not to have them exclusively. His financial and exchange operations were based upon a surer footing than the prior possession of news of any kind; and we have already upon a former occasion stated from our own knowledge, that he was in the habit of allowing other merchants to avail themselves of his channels of communication when they had no other, and that too without any remuneration. Our contemporaries in this matter are upholding monopoly of the worst kind,—monopoly of information. One of them cites the example of Rothschild, believing him to have been more illiberal than he really was. If the example were more to the purpose, we could balance its weight in the argument by quoting the liberal conduct of another London Merchant who received exclusively the news of the first abdication of Napoleon on a Sunday morning, and when, upon his communicating it to Lord Castlereagh, his Lordship offered to keep it secret till any hour on the Monday following in order to give the Merchant opportunity to make his profit on the Stock exchange, the latter declined to take advantage of the offer, and allowed the great news to be proclaimed that evening by the Prince Regent at Mrs Boehm's table.—*Calcutta Courier, May 22.*

An esteemed correspondent, whose letter we are not permitted to publish, answers our objection to the compulsory clause of the new postage act, by saying that it only extends to ships bound *from* India, the rules to which ships bound *to* India have been subject for the last twenty years; and that, when private rights and public convenience come in contact the former must give way to the wants of the many.

Now, we always thought that it was a received maxim of English law, that private rights were never to yield to public convenience without compensation; and so far has this principle been carried that a "vested interest" has been admitted and paid for by the nation even in cases of the abolition of notorious sinecures.

To say that it is only extending the principle already admitted by law, is begging the question, for it is not asked whether it is law, but whether it is just. Now, it never can be argued, when a certain species of property is constructed for special and innocuous purpose, that it is just for the law to step in and deprive the owner of his peculiar rights, in order to confer them on the public, who have contributed nothing to the expence of that property. There is no kind of injustice that may not be defended by precedent, no brutality or abomination that cannot be proved to have been legally enacted at some time or other. Burning witches and heretics; carrying innocent persons into slavery; torturing to extort confession may all be justified, if we are to be guided by precedent. We, however, thought that our enlightened legislators looked rather to principle, and that they would have enacted a law by which some little inconvenience might occasionally fall upon the public rather than have infringed the sacred rights of private property. The 59 George III. c. 3, quoted by our correspondent, may perhaps be justified by the consideration that a new privilege had been recently conferred on British ships by allowing them to visit India; it was a kind of *quid pro quo*; but there is nothing of the sort here. There is no excuse for thus calling on individuals to work for the state without pay. The very circumstance adverted to by our correspondent, as an excuse that only falls on a few, makes the hardship the greater, because it affects the interests of a particular class only, and there is consequently nothing like an equality of inconvenience to be submitted to by the whole

shipping interest for the public good. A ship-owner may grumble at a law which regulates the length of his bowsprit, the construction of his vessel, or the number of his crew, but he knows that these restrictions fall equally upon all; and though he may justly consider it as clumsy and needless legislation, he is not seriously affected by it. But, in this instance, the shaft of the law is aimed at the enterprising, the active,—the men who are most worthy of encouragement; and the direct tendency of the enactment is to repress those who are the pioneers of commerce. If any person will attempt to defend the law upon principle, we shall listen to him with attention and respect, but to support an enactment which will do mischief, by quoting a similar one which happens not to be inconvenient, is not, in our opinion, a satisfactory vindication of this kind of legislation.—*Englishman, May 22.*

Our brother of the *Courier*, whose notions of commercial morality were always somewhat peculiar, has published two articles in reply to our observations upon the new post office act. He says, that it is upon principle and upon principle only, that he supports the compulsory clause. Let us examine his principle. Many duties, he says, are compulsory and without compensation. And he instances serving on juries and attending courts of justice to give evidence. He does not follow out his argument, but he would of course infer that, if one service to the state is compulsory, another may be made so. Undoubtedly the state may compel whatever is within its power to enforce, but it does not follow that because it *can* compel that therefore it *ought!* The services of witnesses are unvoidably compulsory, because justice cannot be obtained without them; there is a sufficient state necessity, but even there, actual expences are repaid them. The duties of jurymen, &c. are at least supposed to fall upon all, exemptions being only allowed because of the performance of some other service to the public. There is nothing of this kind to be urged in favor of the compulsory letter service. The advantage to the state is nothing in comparison to the loss of the shipowner. He is compelled to do that which takes from him the whole advantage expected to be derived from the peculiar kind of property which he has created, and that only to put rival merchants, who have not incurred any expence, on a footing with himself.

But, says the *Courier*, it is perfectly just, because, it only prevents the ship-owner from committing a species of fraud upon others. "The merchant who possesses exclusive intelligence, may be said to treat unfairly with every person of whom he buys or sells in consequence of that intelligence." Indeed! "He is in the position of the professional billiard player who disguises his play." Indeed! Then it follows of course, that all trade resembles gaming, fair trade, fair gaming, &c. and that what is one man's gain is another's loss! This, too, from a *ci-devant* merchant! It is tolerably clear and admitted by all who have written on poetical economy, that trade differs wholly from gaming, and is not to be judged of by the same rules, gambling being merely a transfer of property from one person to another, whilst trade is the creation of property by labour. The interest of the community requires, that every man should be allowed to use his skill and knowledge for his own advantage, without obstruction, and it would be as absurd to interfere by law to prevent one man from having later intelligence than another, as it would to prevent his being a better judge of the commodities he deals in. His superior intelligence is, like his superior skill, acquired by labour and expence; the profit upon it is the legitimate return of his advanced capital. It is evidently the interest of the state that its merchants should be as active and enterprising as possible; the gains of one extraordinary adventure stimulate a hundred others to unusual activity. Suppose that some farmer had discovered the method of growing two crops when one grew before, the turnip husbandry for instance, and bargained with the landholder for a long lease in consequence; according to the *Courier* he would resemble the professional billiard player, who takes in a *flat* by disguising his game, and, of course, the bargain ought to be broken and set aside as fraudulent. Who does not see that, if such a state of things were possible, which happily it is not, there would be an end of all improvement? that every thing would go on, as it did in the beginning, and the inventor would be punished, as the story tells us, the Chinese minister was for making the mules carry two panniers, instead of balancing one pannier by a stone?

Even privateering, according to the *Courier*, is not much worse than excluding other men's letters from your ship. Highway robbery and wholesale murder, if secure of impunity by state licence, are thus likened to the peaceful pursuits of gain by skill and industry. If the editor of the *Courier* had been in the habit of reading Cicero, he might have found something in support of his view of the case, for that great authority has decided that the captain of a Rhodian ship who carried corn to a starving port, was not justified in concealing that other vessels were on their way, forgetting that the inducement to come to the relief of the famished, being gain not humanity, the high price obtained by the first arrival was the sure means of bringing speedy relief.

There are some expressions in the *Courier* which almost tempt us to apply the *argumentum ad hominem*. "Cunning and deceit," he says, "are the *Englishman's* pioneers of commerce!" We do not approve of either, but we know where to look for *recorded* lessons of both, should we at any time want them. However, we attribute the assertion only to our contempory's incapacity for drawing nice distinctions; he cannot see the difference between a merchant's giving or taking the price,

which others are willing to pay or receive, and wilfully deceiving by false representation. But the most curious part of the *Courier's* charge is that we are upholding monopoly of the worst kind! The exclusive use, then, of a man's own property is monopoly, and if he should refuse us a share of his dinner to-day, according to his own rule, he would be guilty of monopoly of the worst kind, that is, provided the dinner was worth eating. Would he reduce us all to the state of the primitive Christians, and have every thing in common, except wives? If so, there would soon be no occasion to establish post offices or packets, a fakir's full dress suit of clay and chalk, might suffice instead of all the productions of Manchester and Glasgow. If we recollect right, there is something very like this in Jonathan Wild, in whose school the editor of the *Courier* seems to have studied his ethics. According to that worthy, the rich are all monopolists, and the thieves are honest distributors of what the others have so wickedly hoarded for their own advantage. We confess we did not expect to see this principle declared in a law, and it is another instance of the inconvenience of doing away with preambles to acts which our brother of the *Harkaru* has so often complained of. It would have explained intentions of the legislature clearly if the act had begun by "Whereas in the opinion of the editor of the *Courier*, the exclusive use of private property is a monopoly of the worst sort, and whereas his opinions on the subject have great weight with the Bengal Government, be it enacted," &c.

We should then be prepared for another legislative interference with our coaches and horses, which would be very useful in moving the foot-guard to and from Barrackpore.

But there is still one thing the *Courier* has not touched upon, namely, the impossibility of enforcing the law against "the sanguine speculator", greedy of his exclusive "advantage." Next time we see him bidding for opium, we shall expect to hear that he began by publishing his letters from China on the expected legalization of the trade, in order to prove that it was impossible the clippers could bring any news which was not made public at once, and that he himself is not "a sharp fellow."—*Englishman, May 24.* ——

The public are at length favoured with the result of the labours of the Post Office Committee, by the appearance of the long expected act. Greatly as it was regretted that the accomplishment of the general wish on this subject was so long retarded, we are happy to acknowledge that the liberal principles on which the new arrangements are founded, make ample amends for the delay. The great benefit which this Act is calculated to confer on society in India, will be apparent from the details on which we are about to enter. As a preliminary observation we may remark, that the main objects which have been kept in view in framing this law have been the equalization, and where possible, the reduction, of the rates of postage, and the abolition of Presidency boundaries, by the establisment of a uniform scale of charges for the whole Empire, calculated according to distances. In relinquishing all idea of making the Post Office contribute in money to the wants of the state, Government have acted upon the principle of enlightened liberality. In England, from the unparallelled magnitude of commercial enterprize, the Post Office yields a considerable revenue with little injury to the public. But such a system could not have been adopted in this country without justice. The Government owe it to the semi-barbarous people confided to their care, to afford every facility for the discussion of knowledge. To have laid a tax therefore on the circulation of knowledge for fiscal purposes, would have been to employ the rein, where they are called by every consideration to use the spur; and to augment the receipts of the exchequer by the interruption of improvement. Nor would it have been less injudicious to have laid a revenual tax on the conveyance of letters and papers as it regards the Europeans in this country. Their capacity for doing good depends greatly on the intercourse they are enabled to maintain with the community of Europe, through means of the press; and Government will gain more by facilitating this intercourse, and thereby recruiting from time to time the moral and intellectual strength of their servants, than they could ever expect from the trifling addition of revenue which might be obtained by a heavy tax on the medium of communication. Acting on this principle, the reductions which have been effected in the present act have reference more particularly to the conveyance of papers, pamphlets and printed communications.

The present act affords the first occasion on which the benefits arising from the concentration of power in one Supreme Government have been equally extended to the subordinate presidencies. The act annihilates, so to speak, the Indian Heptarchy, and unites the various sections of the empire in the firm bond of general intercourse. The communion which will now be established between the presidencies, which have hitherto been divided by social as well as political boundaries, will be found in a very short time to give a new impulse to the public mind throughout India.

To realize the comprehensive idea of governing the whole of India as one empire upon uniform principles, the very first step was the abolition of those presidency divisions, which limited the intercourse of each section to its own boundaries, and encouraged a feeling of separate and exclusive interest in the communities; and this step has now been taken.

Among the peculiar features of this act, we notice the abolition of private dawks, except as they may be permitted by license from Govt. and the privilege of sending letters bearing postage. Both are judicious arrangements much required by the existing state of society.

There is also this material alteration in the new system. Hitherto, letters which had been refused by the parties to whom they were addressed, were liable to double postage, that is, to direct and return postage; but under the operation of the new act, they will be chargeable only with single postage; that is, with return postage only, if the direct postage has not been paid.

A liberal concession has also been made with regard to individuals who may neglect to pay their postage and run into arrears to the department. Under the old system, all

letters addressed to them were indiscriminately withheld, till the old score was wiped off. Under the new arrangement, only those letters which may arrive to their address *bearing postage*, will be kept back. The legislators appear to have equitably judged that the sender, in paying the postage, has fulfilled his part of the contract; and that the government, after receiving the consideration money, were bound to the fulfilment of their part of the engagement, notwithstanding the "laches" of the individual to whom the letter was addressed.

In the 12th Section of the Act, moreover, we recognize an improvement which will be beneficially felt in "country places." Hitherto the practice has been to charge the postage according to the ground over which the mails passed. For example, A and B are two stations fifty miles apart; but there being no direct post between them and C, the mails were perhaps carried by a circuitous route more than two hundred miles; and the persons interested in the letters had not only to submit to the delay which was occasioned, but to pay an augmented rate of postage. Under the new rule, however, the distances which are to regulate the charge of postage are to be framed as near as practicable, according to the distance *by the nearest road* between post office stations.

The existing rates of postage for letters has been revised; a small addition has been made to the rates now current in Bengal, and a small diminution of those which prevailed at Madras and Bombay, in order to secure a perfect equality of privilege. The following statement will shew the operation of the new scale.

Existing rates of postage.			*New scale.*	
Distance.	*Bengal.*	*Madras.*	*Bombay.*	
Miles.	*As.*	*As.*	*As.*	*As.*
20	2	1	„	1
50	2	2	3	2
100	3	4	4	3
150	3	5	5	4
200	4	6	6	5
250	4	7	7	6
300	6	8	8	7
400	7	9	9	8
500	8	10	10	9
600	9	11	11	10
700	9	12	12	11
800	10	13	13	12
900	11	14	14	13
1,000	12	15	15	14
1,100	12	16	16	14
1,200	13	16	17	15
1,400	14	16	19	16
1,500	15	16	20	16

Thus one rupee is the maximum postage of a single letter; whereas under the old rate, the Bengal postage for a distance of 2000 miles was 18 annas; the Bombay, 25 annas. For a distance of 2,500 miles, the Bengal rate was 20 annas; the Bombay 28 annas; both of which are now reduced to 16 annas.

Relative to Letters exported and imported by sea, the reduction has been great and important, as the following statement will shew.

Statement shewing the rates of Ship Postage on letters exported and imported by the old and the new rates.

Old Rates.			*New Scale.*	
Weight in Tolas.	*Bengal.* *As.*	*Madras.* *As.*	*Export.* *As.*	*Import.* *As.*
1	3	4	2	3
2	6	8	2	3
3	8	12	2	3
4	11	16	3	4
5	14	20	4	5
6	16	24	5	6
7	19	28	6	7
8	22	32	7	8
9	24	36	8	9
10	27	40	9	10
11	30	44	10	11
12	32	48	11	12
13	35	52	12	13
14	37	56	13	14
15	40	58	14	15
16	43	60	15	16
17	46	64	16	17
18	48	64	17	18
19	51	64	18	19
20	54	64	19	20
21	56	64	20	21

The rates of *Ship postage on parcels imported by sea*, have been subjected to a greater reduction than any other item. At Madras there was one uniform rate for all parcels up to 300 tolas weight; they all paid *two* annas for a trip through the surf. In Bengal, however, the rates were very heavy.

			Old Rate.	*New Rate.*
			Rs. As.	*Rs. As.*
From	8 to 12	Sa. Wt.,..	0 8 ..	0 1
	12 „ 25		1 0 ..	0 1
	25 „ 50		1 8 ..	0 1
	50 „ 75		1 12 ..	0 1
	75 „ 100		2 8 ..	0 1
	100 „ 150		3 0 ..	0 2
	150 „ 200		3 8 ..	0 2
	200 „ 250		4 0 ..	0 3
	250 „ 300		5 8 ..	0 3

But the most important reduction which has been made by the New Act, and which will be found to tell upon the improvement of India as much as, if not more than, any other measure of Government, is that which has been effected on the conveyance of newspapers. Under the old rates a Calcutta newspaper sent to Madras, and vice versa cost, *eight annas and a half*; and one sent to Bombay, *eleven* annas; under the new rates they will in both cases be reduced to *three*. A Bombay paper reaching Madras on the old system cost 10½ annas; an Agra paper, the same rate; a Calcutta paper 8½ annas; by the new system they are all reduced to *three* annas. Within the limits of this Presidency the reduction has also been considerable; under 20 miles, the postage has been reduced from *two annas* and *a half* to one anna; within 400 miles from *two annas and a half* to *two* annas; and beyond that distance from *four annas and a half* to *three* annas, which is the maximum rate of newspaper postage throughout India; so that a public journal may now be sent from Meerut to Cape Comorin for the small sum of *three* annas, that is four pence half peny for more than 2000 miles. This arrangement will be found particularly favourable for the conveyance of newspapers which may be brought by the steamers to Bombay, while that place continues to be the Steam Port of India. The effect of this reduction on Native papers will be such as to place them within reach of the reading public. The annual charge, for instance, paid in advance of the Sumachar Durpun, is 8 rupees; the charge for postage

will be 6 rupees 8 annas; and the entire expense of the paper within the limits of Bengal will be a trifle above one rupee three annas a month. This reduction on the charge of newspapers is perhaps as great as the Post Office department could bear; and any farther diminution would, under existing circumstances, have entailed a loss on the conveyance of the mails. Indeed, the indulgence which has been now granted to the public, will entail so heavy a diminution of the receipts of the Post Office department, as almost to place its income and expenditure on an equality; and we scarcely think that any farther reduction is feasible, until the diminished rate shall have operated to augment the revenue.

Ship postage is now levied on newspapers at the rate of 2 annas the cover, up to 12 tolas. By the New Act it is reduced to 1 anna on every cover under six tolas, and rises only at the rate of 1 anna for every six additional tolas. The diminution of the *Postage on Newspapers* imported by sea is therefore considerable. We subjoin the new and the old rates:

Old Rates.

Not Exceeding.	*Ship Postage.*	*Land Postage.*	*Total*
	As.	*As.*	*As*
6 *Tolas.*	2	4½	6½
9 „	2	6½	8
12 „	2	8½	10½

New Rates to Calcutta.

Not Exceeding.	*Ship Post.*	*Land Post.*	*Total.*
	As.	*As.*	*As.*
6 *Tolas,*	1	2	3
12 „	2	4	6

The *Banghy rates* have also been revised. Those for Bengal have been a trifle augmented for short distances; and considerably diminished for longer ones. The Madras rates have been materially lowered. At Bombay, banghy conveyance was scarcely known.

The following table will shew the alterations which has been effected.

Not Exceeding.	*Bengal.*	*Madras.*	*New rates*
50 miles, ...	0 6 .	. 0 12	0 6
100	0 6 .	. 0 12	0 9
150	0 11 .	. 1 4	0 12
200	0 14 .	1 12	0 15
250	0 14 .	. 2 0	1 2
300	1 2 .	. 2 4	1 5
400	1 7 .	. 2 12	1 8
500	1 11 .	3 4	1 11
600	2 0 .	. 3 12	1 14
700	2 4 .	. 4 4	2 1
800	2 9 .	. 4 4	2 4
900	2 13 .	. 5 0	2 7
1000	3 2 .	. 5 4	2 10
1100	3 6 .	. 5 8	2 10
1200	3 11 .	. 5 12	2 13
1300	3 15 .	. 0 0	2 13
1400	4 4 .	. 0 0	3 0

The improvements made in the bangy system, are manifold. Under the old system in Bengal, the charge for bangy hire, increased beyond 1400 miles in proportion to the distance; and a parcel sent by bangy 2,000 miles cost 5 rs. 10 annas, and one 2,300 miles, 6 rs. 12 annas. But under the new arrangement, 3 rupees is the maximum charge for any distance whatever. At Madras, moreover, no parcels were received for dispatch by bangy above 280 tolas in weight; and at Bombay by the regular dawk, the bangy system not having been generally introduced, beyond 80 tolas; but the privilege of sending packages of the weight of 600 tolas is now extended to all the Presidencies.

The convenience of the public has also been consulted in Table No. 5, which lays down the scale for the postage of books, pamphlets, packets of newspapers and any written, printed or engraved papers sent by the public bangy, not exceeding 40 tolas in weight and open at both ends. By the old rates, packets of this description were not received beyond 21 toals weight; they may now be received up to 40, and the charge, moreover, has been considerably reduced. Under the new system, a copy of Blackwood may be sent by bangy, from Calcutta to Delhi, for 10 annas, to Madras for 12 annas, and to Bombay for 14 annas, and a Quarterly or Edinbourgh Review, for double those rates respectively. We had intended to have added the weight of all the chief periodical publications which circulate in India, but we have already exceeded our limits, and must defer this and some other remarks, to the next week.

The present Act will, we are convinced, prove a real blessing to the country. It is framed in a spirit of caution and liberality and it grants to the public all which can at present be conceded without entailing an actual loss on Government. Its effect on the moral, social and intellectual well-being both of Europeans and Natives, will be highly beneficial, and there can be no hesitation in pronouncing it one of the most enlightened Acts of the Legislature of India. The broad principles on which it is founded, leave an ample scope for the correction of any anomalies which time may disclose.

We now close this lengthened article by giving a statement of the relative circulation of all our Indian journals in the first week of the present year. Having been indulged with access to official documents, we are enabled to assure our readers that they may confide in its accuracy. This document will be found interesting on many accounts, but chiefly as exhibiting the circulation of the existing journals at the commencement of the year in which the arrangements of the Post Office were improved. By the new Act all papers are placed upon an equality of privilege; and the document we publish will therefore afford an opportunity of subsequently ascertaining its effect upon the journals, which from the period when it comes into operation, will have a fair start. Since the date of these returns, there have been some changes in the circulation of the journals, all however on the favourable side. We ought not to omit the fact, that the statement only embraces the bona fide dawk circulation of the journals, and does not of course include the copies which are distributed to the stations around Calcutta and which we have reason to believe are far from inconsiderable.

Statement showing the number and description of Indian Newspapers published in the Presidency of India in the Quarter ending 31st March 1837, from the 2d to the 8th inclusive, arranged in one general list according to their comparative circulation. Showing also the days on which the papers are severally published, the cost of each Journal at the place of publication, and the cost of the same when sent by post, to stations within or beyond 400 miles respectively.

Place of Publication	Name of Newspaper or Gazette.	How often published.	Total number of times forwarded by post in each issue in the last week of Jan 1837, whether free or paid.	Price of the paper per annum	Remarks.	Postage at two annas		Total cost of paper, at places more than 20 miles, but less than 400 miles from place of publication		Postage at three annas		Total cost of paper at stations beyond 400 miles, from place of publication.	
				Rs.		R	As	Rs.	As	Rs.	As	Rs.	As.
Madras, ...	Fort St. George Gazette (*Official*) ..	Wednesday and Saturday,	570	12		13	0	25	0	19	8	31	8
Calcutta, ..	The Englishman	Daily, except Sunday, ..	378	64	Morning and evening, ..	39	0	101	0	58	8	122	8
Agra, ...	The Agra Ukhbar, ...	Saturday, ...	315	36		6	8	42	8	9	12	45	12
Madras, ...	The Spectator, ...	Wednesday and Saturday,	303	35	Morning and evening, ..	13	0	48	0	19	8	54	8
Bombay, ..	The Courier, ...	Tuesday and Saturday, ..	240	52		13	0	65	0	19	8	71	8
Calcutta, ...	The Courier, ...	Daily, except Sunday,	289	64	Evening, ...	39	0	103	0	58	8	122	8
,,	ditto	Semi-weekly, ...		40		13	0	53	0	19	8	59	8
Madras, ..	The Herald, ...	Wednesday and Saturday,	275	35	Evening, ...	13	0	48	0	19	8	54	8
Calcutta, ..	The Calcutta Gazette, (*Official*) ..	Wednesday and Saturday,	242	20	Evening, ...	13	0	33	0	19	8	39	8
Calcutta, ..	The Hurkaru, ...	Daily, except Sunday, ..	227	64	Morning and evening, ..	39	0	103	0	58	8	122	8
Calcutta, ..	Herald, Literary Gazette and Reformer,	Sunday, ...	225	16	Morning and evening, ..	6	8	22	8	9	12	25	12
Calcutta, ..	The Oriental Observer, ...	Sunday, ...	186	16	Ditto ditto.	6	8	22	8	9	12	25	12
Berampore,	The Friend of India, ...	Thursday, ...	165	20		6	8	26	8	9	12	29	12
Bombay, ..	The Gazette, ...	Wednesday and Saturday,	163	52		13	0	65	0	19	8	71	8
Bombay, ..	The Bombay Gazette, (*Official.*) ..	Thursday, ...	157	12		6	8	18	8	9	12	21	12
Delhi, ...	The Delhi Gazette, ...	Wednesday, ...	147	36		6	8	42	8	9	12	45	12
Calcutta, ..	The India Gazette,*	Mond. Wed. and Friday,	134	32	Evening, ...	19	8	51	8	29	4	61	4
Serampore,	The Samachar Durpun, ...	Saturday, ...	132	8	Bengalee and English,	6	8	14	8	9	12	17	12
Meerut, ...	The Meerut Observer, ...	Thursday, ...	123	25		6	8	31	8	9	12	34	12
Madras, ..	The Conservative, ...	Tuesday and Friday, ...	99	36	Evening, ...	13	0	49	0	19	8	55	8
Madras, ..	The Examiner, ...	Tuesday and Friday, ...	69	20		13	0	33	0	19	8	39	8
Bombay, ..	The Durpur, ...	Friday, ...	43	40	Marhatta and English,	6	8	45	8	9	12	49	12
Calcutta, ..	Sultan Ool Akbar, ...	Sunday, ...	36	24	Persian, ...	6	8	30	8	9	12	33	12
Madras, ..	Commercial Circulator, ...	Mon. Wed. and Friday, .	35	12		19	8	31	8	29	4	41	4
Loodianah,	The Loodianah Ukhbar, ...	Saturday, ...	27	36	Persian, ...	6	8	42	8	9	12	45	12
Calcutta, ..	Jan Jehan Nameh, ...	Thursday, ...	26	36	ditto,	6	8	42	8	9	12	45	12
Calcutta, ..	The Secunder, ...	Sunday, ...	25	24	ditto,	6	8	30	8	9	12	38	12
Madras, ..	The Courier, ...	Mo. Tu. Thurs. and Frid.	20	52		26	0	78	0	39	0	91	0
Bombay, ..	The Examiner, ...	Friday, ...	19	40		6	8	46	8	9	12	49	12
Madras, ..	The Gazette, ...	Wednesday and Saturday,	17	52	Morn. and even. on Sat. Morn. only on Wed.	13	0	65	0	19	8	71	8
Calcutta, ..	Moheh Allum Afroze, ...	Wednesday, ...	15	24	Persian, ...	6	8	30	8	9	12	33	12
Bombay, ..	Samachar, ...	Sunday, ...	13	?		6	8	?		9	12	?	
Bombay, ..	Chabook, ...	Thursday and Sunday, ..	12	?	Persian, ...	13	0	?		19	8	?	
Calcutta, ..	Samachar Chundrika, ...	Monday and Friday, ...	12	12	Bengalee, ...	13	0	25	0	19	8	31	
Madras, .	Perunjal, ...	Wednesday and Sunday,	9	?		13	0	?		19	8	?	
Bombay, ..	Portuguese Investigador, ...	Thursday, ...	8	?	Portuguese, ...	6	8	?		9	12	?	
Calcutta, ..	The Gyanunneshun, ...	Wednesday, ...	7	12	Bengalee and English,	6	8	18	8	9	12	21	12
Bombay, ..	Jamejumseed, ...	Monday, ...	5	?	Persian, ...	6	8	?		9	12	?	
Madras, ...	Chennapatun Vertanta, ...	Wednesday and Saturday,	2	?	Gentoo, ...	13	0	?		19	8	?	
Madras, ...	The Philadelphian, ...	Thursday, ...	1	?		6	8	?		9	12	?	
Ceylon, ...	The Ceylon Gazette, (*Official.*)	Tuesday and Saturday, ..	30	?		13	0	?		19	8	?	

* This is a tri weekly copy of the Hurkaru, but without its advertisements.

[*Friend of India*, May 25.

We must confess our astonishment that the *Courier* should continue to labour at the point, involved in the compulsory clause of the new Post Office Act, in respect of conveyance by ships of public packets. A man who exclusively possesses a valuable discovery, of great practical utility to the public, so far from being compelled to communicate his secret to all the world, and thereby place himself in a position to forfeit all the advantages which his invention or discovery is calculated to bring him in, if confined to himself, will be expressly protected by the law, in such exclusive possession; and the motive of the legislature in granting such protection, is perfectly clear and intelligible. In what respect, however, does the possession of a fast sailing clipper, differ from that of a chronometer on a new and improved principle, so that the inventor of the latter shall be protected by law in the sole and exclusive possession of the advantages accruing to him from his discovery, whilst the former, instead of being protected, is compelled to hold his improved clipper and its advantages, in common with the public at large? The improvement of chronometers, by which a ship's longitude at sea is to be more accurately ascertained, is an object of far greater public importance than the conveyance of letters; yet who will it would have been just to refuse an exclusive patent to HARRISON for his celebrated improvement in time keeping? As long as patent right continues, the public are partially deprived of the benefit of an invention, and that too for the express purpose of benefiting exclusively the inventor; and most wisely as well as justly is it so. Who would endeavour at improvements in practical science, if he were compelled to forego the profit of his invention or discovery? The pensive public is not celebrated for gratitude, but it is not so foolish as to carry ingratitude to such a pitch as this. The reasoning of the *Courier* is self-evidently fallacious; but ... the concluding sentence of his last article on this subject, is so much *naivete* that we cannot refrain from quoting it. But while we are thus arguing against the propriety of fostering such selfish princ[illegible] that is to say the principles that opp[illegible] compulsion on the ship-owner, "we are happy to recognize a better feeling in the merchants at large, and our conviction that but a very minute portion of them approve of the practice which our morning contemporaries so strenuously defend. We entirely concur with the opinion here expressed by our contemporary; a *very* minute portion of the merchants approve of the practice we defend; viz., that small portion who possess such superior vessels as make the matter important to them.—*Hurkaru, May 26.*

The *Hurkaru* made a remark or two yesterday, which it is worth while to notice, in answer to our reasons for supporting the compulsory clause in the Post Office Act; but we wonder at the astonishment expressed by our contemporary at our continuing to hold an opinion opposite to his own in this matter, there being so many points on which it is our misfortune to differ with him. He observes, that "a man who exclusively possesses a valuable discovery of great practical utility to the public, so far from being compelled to communicate his secret to all the world and thereby place himself in a position to forfeit all the advantages which his invention or discovery is calculated to bring him in if confined to himself, will be expressly protected by the law in such exclusive possession."

We believe there is a little error in the statement that he is not compelled to communicate his secret, for to a certain extent at least it must be revealed by the specification in the patent, which is not unjustly complained of as a hardship. But, let that pass; the case does not apply: nobody ever heard of a patent being granted for an improvement of *form* in a vessel, and nobody we think will venture to assert that "great pratical utility to the public" could possibly arise in any shape from an exclusive possession of the channels of letter communication by one or more individuals. The argument would better hold in favor of the East India Company's pretension to the continuance of their exclusive possession of the China and India trade, on the same ground of *invention.*

But our contemporaries before took a different ground. Insisting on the *right* of the shipowner to refuse other people's letters, they found fault with the Act because it did not offer compensation for taking away that right. This was recognizing the principle of *salus populi suprema lex*, the right of the state to buy up the right of the individual; but it would seem that they have discovered that a jury would assess the right at so low a price that they claim to retain it instead of the compensation. The really parallel case of a road through a man's estate, cited by themselves, only shewed the weakness of their position; it was forgotten that the proprietor received no compensation at all *for giving passage the mail* through his estate, to the prejudice of his interest as a producer and a speculator in the market. The concluding portion of the *Hurkaru's* article is as follows:—

'The pensive public is not celebrated for gratitude, but it is not so foolish as to carry ingratitude to such a pitch as this. The reasoning of the *Courier* is self-evidently fallacious; but in the concluding sentence of his last article on this subject, is so much *naivete* that we cannot refrain from quoting it.

"But while we are thus arguing against the propriety of fostering such selfish principles, that is to say the principles that oppose compulsion on the ship-owner, we are happy to recognize a better feeling in the merchants at large, and our conviction that but a very minute portion of them approve of the practice which our morning contemporaries so strenuously defend.'

"We entirely concur with the opinion here expressed by our contemporary; a *very* minute portion of the merchants approve of the practice we defend; viz. that samll portion who possess such superior vessels as make the matter important to them.

Now this is more assumption, that *all* the proprietors of clippers are of the selfish class; an assumption not warranted by their practice; for while there are about a dozen clippers and about as many mercantile firms interested in them, the examples have been rare of letter bags being refused in any of them. It was, moreover, a tardiness in the delivery of letters from one of these clippers, we understand, that attracted the notice of the Chamber of Commerce, and led to the insertion of this very clause after communicatom between the Chamber and the Post Office Committee. It is well known that the Bengal clippers were built to carry opium (not news) quickly to market. The argument, therefore, that a motive for the improvement of the forms of building is taken away by taking away the opportunity of thus forestalling others in intelligence, is of no avail; but if this were true, shall we uphold the Slave trade because it led to the building of so pretty a vessel as the Ann.—*Calcutta Courier, May 27.*

THE OPIUM QUESTION.

Condemning, as we have done on public grounds, the interference of Government at all in the Opium question, we have paid little or no attention to the arguments assigned by the different parties, interested in the division of the "bonus" for guiding the appropriation according to their respective views. It is but fair, however, these parties should all be heard. We have already had the opinions of the party, which for brevity's sake, we will call the Chinese party, and those of the "Straits" party; but there is still a third who differ from both. This party so far agree with the "Dissentients" as to doubt the impracticability of ascertaining what Opium was or was not sold on a given day; and contend further, that if any had been sold for time, but undelivered, the Chinese purchasers would punctually adhere to their bargains; and that it is not to be supposed the Government ever contemplated giving such purchasers any share of the "bonus." The statement made at the Board Meeting by the gentleman who went into the case so fully, that the large houses in Canton divided their sales into the heads of Patna, Benares and Malwa, was quite correct; but he might have added, it would seem, that they separate the "old" from the "new," periodically averaging out the proportions among the several consigners and proprietors; and therefore could be fully competent to declare what *new*" opium was in stock on a given day, and to divide among the proprietors of such Stock the 150 Rs. per chest with as much facility as they appropriate sales actually made.

This third party, whose views we have thus sketched, consider that the grant of Government is solely intended to indemnify parties whose interests may be affected by a large importation from Calcutta at a reduced price, consequent to that grant.

One difficulty appears to arise from the money thus becoming payable in Canton; but this they think could be obviated through the instrumentality of the Company's agents.

The objection of the party in question to the "Dissentients" sharing proceeds on the same and on even stronger grounds, viz: that their opium has been positively sold in the "Straits" and to a profit, and they ask, how can they expect therefore any part of the indemnity?

We confess we have not yet seen any greater proof of opium being sold in the "Straits" than in "China," and without presuming "*magnas componere lites*" we so far consider the case of the "Dissentients" unshaken as long as all shippers to China are to benefit without reference to sales or not. The Government, through Mr. Parker, profess entire indifference to the outturn of purchases and only offers the bonus of 10 lakhs as a consideration for the effects of their own acts, viz; enabling the stock in store here to be thrown on the Chinese market at a reduced price. But it is evident they break through this principle, if any part of it goes to those who have sold; and in equity and fairness, it they break it as to sold "China," so ought they as to sold "Straits."—*Hurkaru, August 22.*

To the Editor of the Bengal Hurkaru.

SIR,—I feel proud and highly honored by the distinguished notice that has been taken of me by your cotemporaries of the *Courier* and *Englishman.*

I had thought that an humble Israelite like myself would have ranked far below the notice of two such *nobs* (take care your devils don't print it *mobs*, for I mean no disrespect.) But while I acknowledge the honor I cannot but regret their differing from me in the matter of my friend, poor Cohen.

The *Courier* treats me very unfairly and states distinctly that I am actuated by party spirit in "mistaking an abatement of price allowed on a falling market for a net profit in the original purchase."

Moreover, that it is not true that poor Cohen's purchases were cancelled without his authority.

As far as the party spirit goes, I declare that noting half so bad ever entered into my composition, and no man but the Editor of the *Courier* would dream of so libelling my hitherto unstained character.

I maintain that I have made no mistake whatever regarding the premium given by Government to defaulting purchasers at their opium sales.

The Editor of the *Courier* has advanced nothing against my argument, and I defy him or any one else to remove one *iota* of it. For, will any one deny that if I had been a defaulter like many of my Christain and Hindoo brethern, instead of paying for my lots and shipping them to Singapore and Penang, (where some chests are still unsold), will any one, I say, deny that my opium in that case would have cost me 300 rupees less per chest? No, no, Mr. Courier, this won't do.

The cancelling of my friend Cohen's lots would be set aside in any Court of Equity.

He may, as stated, have formally resigned all claim to his 950 chests. But what were the circumstances under which he so resigned? did the Government deal fairly with him and make him fully acquainted with the then position of Opium affairs? Did they tell him of the *Loans*? no, they threatened him with a resale and all but put their threat into execution—a course which the Government will bitterly regret before the 1st December that they did not follow, not only in Cohen's but in every other case of similar defaulting.

The Government seems to be under the unaccountable delusion that there is only one set of individuals that can buy opium. What would His Majesty's Government at home say to the authorities at Ceylon were they to part with £300,000 to some wild gamblers at their cinnamon sales, and give as their reason for so doing that certain parties must be supported or we suffer in our revenue next year? What will Mrs Grundy, of Leaden Hall Street, say to the authorities here? We shall see by and bye.

My friend Cohen is then precisely in the same favourable position I placed him in on Friday last, as far as regards anything the *Courier* has advanced to the contrary. He is out and out the greatest defaulter, and upon the Government principle is entitled to the greatest *bonus*.

I named 4,50,000 rupees as the sum he was entitled to, and most sincerely wish he may get it. He cannot refuse poor Tobias a handsome commission on that amount when paid.

I perceive that *Dear Stocquey* is rather nettled at my pointing out his shuffling and backing of these discussions, also at my giving my opinion as to the cause. For this he threatens to brush my face over with something with which he says you are already disfigured.

He imitates the harassing and often interrupting members of the House of Commons, who continually cry *name, name*. I shall answer him according to another practice also well known in the said August assembly, and an answer given under similar circumstances some time ago by one of his own correspondents (PEEPING TOM I think is the name): viz, crowing, like a chanticlear, cock-a-doodle-doo!

I am, Sir, yours obediently,
TOBIAS, OF THE TRIBE OF ISRAEL.

Calcutta, 20th August, 1837.

[*Ibid.*

The letter of NO GAMBLER in yesterday's *Englishman*, is too good to pass over without notice.

It is quite clear, as stated by the writer, that the Bombay people have a right to compensation for the loss on their Malwa opium, which will ensue in consequence of the late proceedings here. With respect to the Resolutions come to by the Chamber of Commerce, we had heard, that the first Resolution negatived on the amendment of Mr. Harding was, in general terms, pledging the Chamber of Commerce, as the representative of the whole commercial interest of the port, to a vote of thanks to Government for their concession to the Opium speculators, the amendment of Mr. Harding being to the effect that the Chamber of Commerce should adhere to its general rule not to mix itself up with party questions. Another long winded Resolution was then moved by Mr. Bruce, who, however, in a great measure disclaimed the bantling he good naturedly fathered; which on the amendment of, we believe, Mr. Dearie, was upset, the amendment being that the meeting do adjourn *sine die*.—*Hurkaru, August* 23.

We publish in another column a letter in answer to that of NO GAMBLER in justice to our informant. We have already said that the Chamber of Commerce is alone answered for incorrect reports of its proceedings, because it will not admit reporters, and no person who takes part in a debate can be expected to bring away an accurate report from memory.

There may not, however, be in reality much difference between what both our correspondents imagined to be the opinion of the majority. Many may not approve of the principle of Government interference, yet may be very well satisfied to see their neighbours helped out of a scrape, into which it must be allowed they have been led by a vicious system. They may have been over eager in the pursuit of gain and incorrect in their calculations; but unless others are injured by the aid given them, we do not think it will be considered ill-timed or injudicious. Our correspondent, NO GAMBLER, speaks of the injury which the Malwa purchasers are likely to suffer from the act of the Bengal Government, but we cannot think that they have any more claim to consideration than the dealers in Turkey opium. In fact, if the Bengal Government, as a monopolist,

could so conduct their monopoly, as to crush all rivals, they would be justified in the same manner that a tradesman would be in under-selling his neighbours. The fault is in the legislature which permits the monopoly, not in the authorities who manage it, and who have only to consider profit and loss, and are not required to look at the trade as statesmen.

That the present indulgence will tend to the speedy downfall of the whole system we firmly believe, but we should be sorry to find that the merchants of Calcutta were sufferers from the change, and we think that no blame can be attached to those who have pursued their own interests in what appeared to them the best way, merely because the system itself is a bad one. The Board have declared that the Government do not seek to favor the merchants, but merely to protect their own revenue, and no one can dispute that they have a full right to do that in whatever they may think the best way, even by selling their opium at one hundred rupees per chest, if they think by so doing they can crush competition. If they did so, the purchasers could not complain, as the Government is under no pledge to them as to the management of the monopoly for the ensuing season, and consequently it would be merely a question, as Mr Parker has told us, of profit or loss to the revenue. The gentleman whose washerwoman sent him home damp linen, told her to calculate whether she would lose more by using more coals than by killing a customer. And this principle guides the Board; they do not like to kill customers though they might expect a fresh set—they have an affection for the old hands, who have so long been engaged in the trade.—*Englishman, August* 23.

To the Editor of the Englishman.

Sir,—Your correspondent, NO GAMBLER; has impugned the accuracy of the few notes which I gave you as to the meeting of the Chamber of Commerce. I must be permitted to set him right on some points. He assumes that you and the *Courier* received your information from a common source. This is incorrect. I have mentioned no particulars of the meeting to any one but yourself, and did not see the *Courier* till after your paper of yesterday was published.

My own opinions coincide so nearly with those of your correspondent, that I was afraid of giving my impressions rather than those of the meeting, and I stated what appeared to me on enquiry to be the fact without a word of comment. Perhaps *well timed and well intended* would have been more correct, than well timed and *judicious*, as it is principally the latter word to which your correspondent objects. My own opinion is, that the Government has not understood the real state of the trade, or it would not have attempted to prop the sub-monopoly which must fall in spite of every effort to support it, though you will see that its wishes as to the times and numbers of the ensuing sales and the quantities to be put up at each, will be attended to, and those of the mercantile body, either as represented by the Chamber of Commerce or otherwise. But even this resource is but temporary; *Malwa*, is the cancer which is eating up the monopoly, and is perhaps the best illustration that ever was known of Mr. Huskisson's celebrated assertion that the smuggler was a public benefactor.

I am, yours,

Ibid.] A MERCHANT.

BONUS TO THE OPIUM SHIPPERS.

We understand that the question of the ted lakhs bonus to the Opium shippers was settled in Council to-day, by adopting the plan proposed by the trade at the meeting of the 16th instant, without any modification, as it appeared to be approved by a great majority of the parties concerned. Shippers to the Strait, prior to the 1st of May, are therefore excluded, while all other shippers share equally, whether to the Straits or to China.—*Calcutta Courier, August* 23.

We are requested to state, for the information of ONE OF THE PROFESSERS, that the requisition for a Meeting of the Chamber of Commerce upon the opium question, had *eleven* signatures—not *four* only, as he asserted yesterday. By the rules of the Chamber no requisition of subscribers for a meeting would be attended to, unless it had at least *ten* signatures.

The *Hurkaru* says to-day:

"It is quite clear that the Bombay people have a right to compensation for the *loss* on their Malwa opium, which will ensue in consequence of the late proceedings here."

But nine days ago, they were complimented by the same Journal upon their dexterity in having brought about these very measures:

"Probably one of the cleverest things that has been done throughout this opium business, was the getting up a petition by the influence of the Malwa speculators to postpone the Bengal sale, some time back. Every hour, which saw our opium unshipped, was a God-send to them; and well have they *profited* by it."

As our contemporary has become so warm a patron of the Malwa Opium trade, for the very reason that it is injurious to the interests of the Indian revenue, we will enlighten him a little about the manner in which Opium bargains are made at Bombay, by subjoining *verbatim* an extract from a letter just received from a Parsee merchant. The gambling of the Opium buyers in Calcutta appears to be nothing to what is going on at Bombay, where the refinements of stock Exchange time bargains have been introduced in all their variety. But, perhaps, in the eyes of the *Hurkaru*, the difference of longitude may sanctify gambling at Bombay, however indiguantly he may condemn it here:

"Our opium trade goes here on a quite different system than before; it appears to be a regular gambling amongst the Natives and Europeans, which I do not know how it will turn by and by.

When a contract for opium is made, the purchaser pays down as bargain money 100 Rs. a chest: if it falls at the time of delivery, he, wishing to shuffle of the contract, looses the bargain money, and some times the difference existing between the time of purchase and that of receipt, say another 50 to 100 Rs., such as it may be on the occasion.

There is another dealing to which they call here Tickly Gully, the meaning of which is that a person, buying for a fixed rate some opium deliverable at a certain time, pays 30 to 40 Rs. a chest, and when it is due, the seller may decline it if the drug is ruling at higher prices, the purchaser being able to press for it and thus forfiet the bargain money vice versa. There is another sort of Gully; that is, the purchaser may compel the seller to receive his opium bargained for if the price is low, otherwise the latter must pay it at the Market price of the day when due. There is also a Bundy Gully; which means, that the purchasers having agreed to receive from the seller a certain number of chests, paying the bargain money, say 10 or 20 Sa. Rs. a chest, and at the time of receipt the price happening to be low, the former is at liberty to receive or not, loosing the bargain money; the latter could not force him to receive it."—*Calcutta Courier, August* 23.

To one of the Protesters.

DEAR SIR,—I have this day seen in the *Hurkaru* your letter to the *Courier*, remarking on my communication to that paper two days ago; and with your leave, will make a few observations.

You are evidently, as NO GAMBLER says, one of the "influential Members" of the Chamber of Commerce; your bearing avows it, and your knowledge of its tendencies, vindicates your title to the distinction. I am an Opium Dealer, who innocently thought, with some others, that it was no unbecoming thing to pass a vote of thanks to Government for the assistance we expected to receive. *You* however have looked upon the whole matter as absurd; and having rallied the disciples of Say and Sismondi, have almost burked our expectations; as Government, it is reported, have listened favorably to your influential objections, and considering the very great opium interest in the Straits, which you represent, namely, 67 chests, are about determining, that no party shall be relived.

I assure you, I should be sorry for this result, if it happen; as rather than lose what I had hoped to get, I would readily join you and include the Straits in the *full* measure of compensation. But here it is, that your party have been in error;—mine did not exclude certain chests of Opium, (the 67 to wit), because of any dislike to them or their contents; but from its being known that Government would not give any relief to Straits Opium, if it had been ascertained that the majority of shippers had earned a fair profit (*and who were with us!*) Hence the difficulty in making a distribution so as to please all; and the reason why Straits opium was included from the 1st May only!

This is unprofitable discussion. Mr. Protester, you may be the cause of loss to me by the opposition you have made. I shall therefore prepare myself to memorialize the "influential six" for the proportion I am likely to be deprived of, to be paid me by them; their regard for justice and equal distribution, of course, will induce them to compensate me.

Your humble servant,

AN OPIUM DEALER.

23*d August*, 1837 [*Ibid.*

To the Editor of the Englishman.

SIR,—You have made me say the reverse of what I intended, by leaving out "*not*." I wrote, "you will see that the interests of the sub-monopoly will be attended to, and *not* those of the mercantile body as represented in the Chamber, &c!" That is my opinion, for I believe the merchants, not connected with the *opium stock exchange*, think that the sales ought to be in as nearly equal quantities as possible, and one every month for *six* months at least, but preferably for the first *eight* months of every year; and that public notice of the times quantites, and conditions ought to be given at least six months before the new season commences.

My opinion is that the sub-monopoly will try to keep the sales down to four or five at the most, and that they will recommend a large sale at the commencement, and one or two small sales in succession, though it must be evident that only particular interests (not those of the revenue) can be served by such a plan.

I am, yours,

Englishman, Aug. 24.] A MERCHANT.

To the Editor of the Englishman.

DEAR SIR,—Your correspondent NO GAMBLER has let the cat out of the bag. "*What will be said of this job by our brethren at Bombay?*"

Doubtless they will be nearly as wrathful, and express fully as much disgust at the measure of the Government as the disinterested and the dissentient Septet of Calcutta merchants, who own something less than a hundred out of the seventeen thousand chests of this season's Bengal opium. Our Bombay and Malwa friends will clearly be of opinion that the only proper mode for Government to have acted would have been to have left things to find their own level. The 8,500 chests would have remained quietly in the Co.'s godowns and the Malwa speculators would have sold off all their opium in China at large profit. But then what would have been said of the folly and blindness of our rulers here? I will readily allow it is a pity their eyes were not opened sooner, but it is better to do right late

than never, and I maintain that all truly disinterested persons will allow that in a position of great difficulty and embarrassment the measure about to be adopted by the Government is justifiable on every principle of sound and judicious policy as the best mode of attaining the desired result at the smallest sacrifice. There were but two possible modes of doing so. The first, a peremptory re-sale of all the uncleared opium accompanied with a forfeiture of deposits. The second, some measure of relief adequate to the case. The object of both being to send on the opium as speedily as possible to China with the express view of underselling the Malwa drug. What would our Bombay friends have said to a re-sale, which might have brought the price down to 900 rupees a chest? Why, they would have been in a much worse predicament than now? The Government have, however, considered the subject in a more statesmanlike and liberal point of view than to proceed with a measure, which while it must have involved a large portion of the mercantile community of Calcutta in irretrievable ruin, might, and would, in all probability, have after all failed in its object. They appear to have said, "would it be liberal, would it be wise, would it be honorable, would it even be honest, after having repeatedly granted indulgence and led the opium speculators to believe that we would not enforce sales after having received a deposit, now to take advantage of a fortuitous concurrence of circumstances, both in England and in China, which were totally beyond the control of the parties, and by forced re-sales and forfeiture of deposits completo their ruin?" And even after that was effected where are the funds to come from to clear and ship the opium to China instanter?

Now to any one who reflects for a moment this apparent that the measure proposed by government will undoubtedly effect its purpose of causing the purchasers to clear their opium on or before the stated periods of 15th September, 15th October, and 1st December, on which days peremptory re-sales of all uncleared lots will take place, and not only the deposit, but the bonus of 300 rupees in the early and 150 on the June sale will be forfeited. The parties are thus under no less a penalty than 780 rupees per chest on the 3 first, and 585 rupees on the June sale, should their lots not be cleared; and after all the gross revenue remaining to Government will exceed 220 lakhs, 50 more than that realised last year, and more than double what it was [illegible] years

On hearing as to the "*holes and corners*." A disappointed party proposes to get up a strictly private meeting at the rooms of the Chamber of Commerce; that is thwarted by the others who desire every publicity to be given to their proceedings. A public meeting is called to discuss the point, and when the Chamber [illegible] by, as the *Hurkaru* tells them, [illegible] with having conducted their negotiations in secrecy, one of the leading merchants connected with the opium trade proposes, that all the correspondence of the committee should be laid on the table. There is no "*hole-and-corner*" work in this line of conduct. But the proposal is negatived by the Chamber, who herein, in my opinion, acted wisely.

I remain, dear Sir, your obedient servant,

O. P.

Calcutta, Aug. 21, 1837. [*Ibid.*

The Opium discussion has elicited many strange opinions, many strange doctrines, many strange principles, but we think, if any thing stranger than the following be behind, language will be both bankrupt and beggar, in respect to expressions of wonderment:—

"As for the interests of the speculators in Malwa Opium on the other side of India, for whom a writer in the *Englishman* (alluded to by A DRUGGIST) endeavours to make out a case, it is really quite absurd to suppose Government would indemnify them for any loss incident to a forced depression of prices here. It is the very game the Bengal Government has been playing all along, to force the Malwa drug out of the market, if possible, by annually increasing the supply; and when the prices of the season opened so high at the January sale, it was a source of regret that this circumstance would act as a stimulus to the Malwa cultivation. The Bombay people know this very well; they know the existence of the Malwa cultivation to be a thorn in the side of the Bengal Opium monopoly, and that various schemes have been attempted at different periods to restrain it. They know that the transit of the article to Bombay is licensed only as a *pis aller*, because it would otherwise go to Demaun without paying any tributs at all to the British Government. They know that either the trade would be interdicted altogether, or it would be subjected to an equalizing duty of some 5 or 600 rupees or more per chest, or it would be brought under monopoly as in Bengal, if the whole coast line could be sealed. And why is it not? we have often asked. How does it happen that a foreign power like Portugal is allowed to hold two insignificant ports in the Gulph of Cambay, of no value except by the opportunity they afford of getting a small revenue from the Malwa Opium at the cost of a hundredfold sacrifice to the revenues of British India? What principle of political justice should prevent our taking possession of Dem and Din, offering [illegible] [illegible] only—pay twice the net revenue they [illegible] This would be conferring a benefit upon Portugal, not doing her an injury, as [illegible] nor did expediency more strongly plead as [illegible] for of a measure of state.

This [illegible] Indicator of the Ruin of [illegible] Fields of Naboth, then were hardly dealt with; but had you, when in the flesh, grown opium, instead of vines, the case would have been different!!"—*Bombay, August* 24.

We are amused to see our brother of the *Hurkaru* quite taken aback by our scheme for the occupation of the Portuguese ports of Diu and Demaun. He has indeed of old and at all times, like ourselves, condemned that non-interference policy, which restrains the British Government from reforming the native governments, to whom its protection is extended, and upon occasion would go the whole hog and put them aside altogether. But because (there can be no other cause) the flag of a European power—one of the least respectable, by the bye, and not on a very friendly footing with us just now—happens to float over the walls of those two places, they are to be left alone—to be allowed to do us any injury whatever short of actual war, which, to be sure, is not much to be apprehended. Is a serious grievance to be endured without applying a remedy within one's reach! a remedy too that will positively benefit both parties? There can be no injury where *more than* ample indemnity is given. The French authorities in India a little time back, opened a negociation for the transfer of all their small factories in India to us, in exchange for an extended arrondisement at Pondicherry. What is to prevent our opening a similar negociation at Goa, and offering money (with or without commercial advantages, such as the liberty of trade with Bombay on an equal footing with British subjects) instead of teritory? If the Viceroy of Goa refuse to negociate, or decline to act definitively in the matter without instructions from his Court, the emergency in a financial point of view would justify our occupying the northern ports in the mean time, subject to an adjustment of the terms between the two Governments in Europe. We have been told that the subject has often been brought to the notice of the Court of Directors—in vain. This is not surprising: the Company cannot meddle with European politics upon the European stage of diplomacy, and what do the King's Ministers know about the Bengal Opium Monopoly and the Malva cultivation? The odious name of monopoly is enough to create a prejudice against the former, even within the precincts of Downing Street, and an indisposition to make any move to disturb the thriving *free trade* of Demaun and Bombay. The *move* should be made in India, as it has been in the case of the Press, in the case of the Bengal Transit and Town Duties, and we might perhaps add, in almost every case of great public benefit or political importance; and there will be no difficulty to find a justification for it in the result. There was a time when even wars were carried on between the British settlements in India and other European settlements, while the parent Governments were at peace. But we have no desire to take a precedent from such an anomalous state of things. The politics of Europe in the present day, furnish abundant examples of intervention and [illegible] arrangements, justified only by a [illegible] ed benefit to the general interest. [illegible] the French occupation of Ancona, which England has tacitly sanctioned. [illegible] of Vienna did the business by wholesale, there was cutting and carving enough to furnish at least twenty individual precedents for carrying out the principle of expediency in politics. The little States of Europe were unceremoniously disposed of, and some too of higher order were as freely parcelled out without any regard either to the wishes of their rulers, or to those of the population, and the matter of indemnity was never thought of, except when some great power was concerned, so [illegible] not quite so generous as Great Britain opened its hands to give, and asked nothing in return.

The *Hurkaru* affects to be astonished to hear such doctrines from "the vindicator of the Rajah of Jynteah." Where is the similarity between the two cases? between the confiscation of a domain, and the purchase of one for more than its value to the seller?—*Calcutta Courier, August 24.*

> "O noble judge! O excellent young man!
> 'Tis very true. O wise and upright judge!
> How much more elder art thou than thy looks!"
> *Shylock.*

To the Editor of the Englishman.

Dear Mr. Editor,—Your correspondent, whose letter appears in your paper of to-day, under the signature of O. E., is a most amusing fellow. He puts forth his propositions with the greatest clearness, and draws his conclusions most logically! The language which he puts into the mouth of Government, is as just and appropriate as can well be imagined; the admirable manner in which he speaks of the powers that be, is sure to attract the notice of my Lord Auckland, who, I trust, will reward this eloquent advocate of the acts of the Governor-General in Council.

"Would it be liberal," says this special pleader, "would it be liberal, would it be wise, would it be honorable, would it even be honest, after having repeatedly granted indulgence and led the opium speculators to believe that we would not enforce sales, after having received a deposit, now to take advantage of a fortuitous concurrence of circumstances, both in England and China, which were totally beyond the control of the parties, and by forced resales and forfeiture of deposits completo their ruin?"

To this long-winded query I answer, that it would be perfectly liberal, wise, honorable, and honest, on the part of Government to have enforced the conditions of the sales, because there is no breach of liberality, wisdom, honor, or honesty, in holding a man to his bargain; and admitting that Government led speculators to believe that the conditions would not be enforced; (which did they do so?) still, to use an argument of your sage correspondent, "it is better to do right late than never;" and it was but equitable that those parties who had fulfilled their engagements with Government, by paying for their opium, and who are heavy

sufferers by the state of the China market and other causes, should have had the opportunity of getting fresh supplies at a reduced rate, at even 800 rupees per chest, if that will please O. P., so as to give them a chance of recovering their losses, losses caused more by a set of gamblers who have been unable this time to "do the trick," than by any thing else. Oh! but, says your correspondent, where are the funds to come from to clear and ship 8,500 chests? Aye, there's the rub, and where, say I, are they to come from before the 15th September, 15th October, and 1st December? Depend upon it, Mr. Editor, that even with the 18 lakhs, the dibs will not be forthcoming to do the needful, and Government will be in about the same position that they were before they so kindly gave back 10 lakhs; for this is in fact the amount of the bond, the 18 being quite a nominal affair.

To proceed, however, with O. P., he tells us, "that upon such opium as remains uncleared upon the above date, not only are the deposits to be forfeited, but the bonus of 300 rupees on the early sales, and 150 rupees on the June sale, will be forfeited." By the way, how can a sum be forfeited, which one has never possessed? for forfeit I take it, means something lost. But never mind, the parties are under the penalty, *therefore* they will clear and pay for the 8,500 chests: for, says this oracle O. P., "to any one who reflects for a moment, it is apparent that the measure proposed by Government will undoubtedly effect its purpose of causing the purchasers to clear the opium on or before the stated period;" and, moreover, "the revenue will benefit 30 lakhs more than last year! (These 30 lakhs will do to give to the speculators next season.) Now, Mr. O. P., you have settled the matter quite to your own satisfaction; but up starts this question again, where is the money to come from? Meantime, I ask Government, don't you wish you may get it? To obviate this little difficulty, I propose, that the following plan be adopted, viz., 1st, let Government make advance upon the 8,500 chests now in the godowns to purchasers unable to clear, even with the bonus, taking the shipper's bills in China upon the usual terms. If a profit ensues, it will go to the shipper; if there be a loss that must be borne by Government, as refunding on the part of individuals who have received advance, when the goods have not realized the same, is quite unknown in this city—*it is not the custom of this port.*

This will do away with the necessity of keeping the treasury in Canton open.

2nd. Let Government employ me to manage the whole affairs, (it will not be a *kole-and-cowrie-one,*) and for all my trouble in fingering the cash, &c. I will charge 2½ per cent. only.*

3rd. Let the folks who are to get the 10 lakhs keep quiet (they are the gainers, and the gainers alone, for the 8,500 chests will sell in China just 300 rupees and 150 rupees lower than it would have done, had the 18 lakhs never been granted). Put the dissentients' protest in their pipes and smoke it, *because* the said protest was "quite *absurd.*"

4th. Let the Malwa gents go and whistle to the tune of "Have they then failed in their truth?" and, lastly,

Let O. P. never again write upon a question of which he knows nothing.

I am, dear Mr. Editor, yours truly,

QUITE CONTENT.

Calcutta, Aug. 21, 1837.

[*Englishman, Aug.* 25.

* If you support this plan, and get me the *job*, I will make commissions with you.

We are seriously afraid, that our evening contemporary has been eating opium as well as writing about it, from the confusion of ideas so palpable in his two or three last editorials on the subject.

Yesterday he quotes the following paragraphs from our articles written at an interval of nine or ten days, and holds them up by implication, not only as involving an inconsistency, but as containing an express approbation of gambling in the drug at Bombay, whilst reprobating it in Calcutta. Our readers will at a glance perceive neither allegation is borne out by the facts; and that the passages, referring as they do to two distinct measures, are quite compatible, and in no degree touch the question of gambling.

In relation to the postponement of the sale from April to June, which was understood to have been mainly effected by the parties interested in Malwa Opium, we said, 'Probably one of the cleverest things that has been done throughout this opium business, was the getting up a petition by the influence of the Malwa speculators to postpone the Bengal sale, some time back. Every hour, which saw our opium unshipped, was a god-send to them, and well have they *profited* by it;" and referring yesterday to the grounds on which the Government rests its defence of granting a "bonus," the holders of opium in China, viz. that their own acts would cause a reduction in value there of all opium in stock; and knowing that a great proportion of that stock was Malwa, we obviously only stated a truism, when we declared on such grounds, "the Bombay people have a right to compensation for the *loss* on their Malwa Opium which will ensue in consequence of the late proceedings here."

Instead of any contradiction, there is the most perfect keeping in the purport of these paragraphs. The indirect boon conferred by the postponement of the April sale, was of course, most acceptable to the Bombay Merchants (who were quite justified in asking for it, *n' importe* the wisdom of granting it) and enabled them to dispose of a large portion of

their opium; but the present act of the Government is, as we may say, *vice-versa*: and their unsold 7 or 8,000 chests are jeopardized by it. As to the gambling at Bombay, and the gambling at Calcutta, there is this slight difference; but it makes the whole difference; the Bombay Government has not joined in the game, nor picked up the losers. The press would have gone out of its way to have interfered in the Opium Question, had it been confined to A and B., but directly the Government became a party, and the public interests concerned, it was called upon to discuss it.

We have already refered to the extraordinary positon of our cotemporary, that in order to protect the Bengal monopoly, we are justified in seizing upon the territories of our Ally, the Queen of Portugal, who, "*nolens volens*," is to be satisfied with an "ample pecuniary indemnity," national honor and dignity being contemptuously put on one side. This is certainly as exquisite an exposition of the right or interference with the property of another contrary as we believe was ever published, and which the next editor of Vattel ought to affix in the shape of a preface, as a new discovery. He might take as his motto,

> "The good old rule, the simple plan,
> That they should take, who have the power,
> And they should keep who can."

But besides Portugal, the central states of India have some little interest in the opium question; and we should like to know how that is to be provided for. We have already had some experience of the consequences of an attempt to introduce the monopoly system there; and we should recommend to our cotemporary the perusal of the Resolution on that subject of the Governor-General in council, dated the 19th of June, 1829.

We cannot conclude this article, without alluding to a letter in the "*Englishman*," in which the writer ludicrously assumes the Government to soliloquise to this effect. "Would it be liberal, would it be honest, would it be honorable to refuse the the petition of our excellent customers, the opium speculators?" and he then argues that the mercantile community ought to thank it for such noble sentiments, and such flattering condescension, wilfully shutting his ears to Mr. Parker's official and memorable declaration, that all the Government thought of, was to endeavour to dispose of the opium, with the least loss to themselves. There never would have been an act of greater stultification than a vote of thanks under such circumstances. The only thing at all coming near it that we can recollect, is the story of the country 'squire, who boasted to his friends of the easy and familiar terms in which he was addressed by George the 4th whilst hunting. "What did he say to you," was the question, why, His Majesty, God bless him, said, "D—— your eyes, get out of my way."—*Hurkaru, August 25.*

To the Editor of the Englishman.

My Dear Sir,—Although my last letter remains unrefuted on any material point; and although I have heard many commend and few cavil at the sentiments I have published, I cannot pass over the remarks of O. P. pointless as they are, and without any true foundation in principle or expendiency.

As the "cat is now fairly out of the bag," let it be recorded for the guidance of those who hereafter requre 80 lakhs "gratis," that the reasoning on which the present grant is claimed by the petitioners and allowed by a paternal government, is as follows:—

That it is considered *in Calcutta* a statesmanlike and liberal proceeding on the part of government to uphold a system of the veriest gambling in existence; exceeding in the amount of stakes and ruinous consequences all the business of a like nature conducted by the old established and respectable firms in Saint James'-street and the "Palais Royal; and in order to protect the old customers in such business it is justifiable, liberal, w and honorable to resort to *any sure means* of ruining the prudent and (but for this act) prosperous Bombay merchants; who duly pays the imposts laid by Government on his merchandise, and in the simplicity of his heart fancies that such Government is bound to administer impartial justice to all who are its subjects.

O. P. affirms that two courses only were open to Government: I affirm that a wise Government would have devised some means of combining expendiency and liberality, without sacrificing justice and impartiality; and if this was found impracticable, every man should be made to abide by his bond to stand or fall by his own deliberate acts. This is pure and unsophisticated justice, such as is current among Englishmen every where but in Calcutta. Every individual among the petitioners who possess property can raise money on its security; those who have no property, who speculate purely on the hope of being able to borrow, should abide the consequences. On these plain grounds, the Government at home refused the request of the memorialists I referred to in my last; and in no other way can markets be adjusted in times like the present.

I conclude that O. P. (old profits?) is an extensive holder or shipper; and, in the true spirit of the trade, entertains a measureless contempt for dealers in a small way. It is, however, rather stretching a point of assurance to hold up to public ridicule those who by avoiding opium as much as possible, have not been under the necessity of advertising "pockets to let, unfurnished."

As to the undoubted effect of the measure of relief in enabling purchasers to clear their lots within 8 months, I ask, where are 80 lakhs (more or less requited after deducting the bonus) to be "lifted," as our Scotch friends say, in that time? Can the great capitalists in

the trade supply it from China? Can the petitioners borrow it from the capitalists in Calcutta? Can they calculate on being supplied as of late years from England with funds in transit for mercantile purposes in China? Let Q. P. point to a glimmer of hope of relief within 3 months from any of the above sources, and I am dumb hereafter.

Query. How much of the bonus would be acceptable in Leadenhall-street to make up for losses on exchanges from China and Calcutta, of which we *begin* to hear complainings?

Query 2nd. Will the bonus on cleared lots be paid to the purchasers or to those who have unfortunately made them advances? Reports are rife, that those who make advances are not protected by law, if shippers prove shufflers, and refuse to make good the differences between the advances and proceeds of sales. Very truly yours,

Aug 24, 1837. NO GAMBLER.

[*Englishman, August* 25.

Our brother of the *Hurkaru*, not taking the trouble to penetrate beneath the surface, thinks it enough to shew that a Governor-General of his very particular esteem condemned an abortive attempt to monopolize the Opium trade in Malwa. Lord William Bentinck was right not to persevere in a mistake, which, but for the blindness of the Bengal Agent, would have been discovered long before. It was a great mistake to suppose an effective monopoly could ever be established, in States beyond our jurisdiction, without sealing the ports of exit; and of course the restrictions imposed, such as they were, must have been hateful to the Opium growers, who, however, actually obtained a larger price from the British Agent than has commonly since been paid them. But allow that Malwa flourishes by the extended cultivation of the poppy, is the British Government bound either by contract or by any principle of inter-national justice to promote or protect that cultivation? The Malwa opium exists only as an article of export since the Mahratta war—by the peace and security established by our arms—by an external trade of our own creation. The "large armed bands of smugglers" and all the disorders and demoralization alluded to in the Government Resolution of 1829, which the *Hurkaru* has published, were the natural consequence of "the temptation to smuggling," created by the existence of the opportunity, so long as Diu and Demaun remained in the possession of the Portuguese.—*Cal. Cour., Aug.* 26.

THE COPYRIGHT QUESTION.

Mr. Rushton's re-print of JACK BRAG has just made its appearance. Reviews of the work in its original form having already been published in different periodicals, it only remains for us to say on the present occasion, that the re-print has been got up very satisfactorily, fairly distancing all the American editions of similar works, and otherwise elevating the horn of the Indian Press. We hope the work will enjoy an extensive sale, because we are aware that great expense has been incurred in this attempt to meet the demand of the Anglo-Indian community for the productions of the most gifted English writers. Whatever invasion of the privileges of authors and London publishers Mr. Rushton may be chargeable with, he is, in our opinion, to be excused on the score of the inattention of the home speculators to the wants of people abroad. If articles, which are in great request, are not sent out to India to the extent of the demand, we ought to be very much obliged to those who undertake, at a small cost, to meet our immediate wants. The arguments in favor of the copyright we consider to apply as much to the contents of newspapers and magazines as to books, and should just as soon expect to be censured for re-printing articles from the *Times* and *New Monthly Magazine*, as for putting forth second hand editions of popular books.—*Englishman, August* 15.

The *Englishman* of the 15th instant, contains some observations on the subject of pirating the works of authors at home, and we observed, that with that journal of yesterday, was circulated an advertisment, or prospectus, announcing the intention to publish piratically some six or seven popular English works at a cheap rate. With this speculation on the part of the publisher, Mr. Rushton, we have, of course, nothing to do. If the cheap publications sell well, we suppose he will not long enjoy a monopoly, others will follow the bright example, and the evil, for such we must consider it, will cure itself in as much as the competition will in time reduce the profits to nothing, and the authors will enjoy their own again. The observations of our cotemporary on this subject appear to us, however, calculated to mislead and mystify the question, and we therefore notice them.

The *Englishman* first justifies the piracy on the ground, that the home speculators are inattentive to the wants of the people here, that is to say, that there are not a sufficient quantity of *Jack Brags* and *Pickwick papers*, and of *Napier's Peninsula War*, to satisfy the demand for them, and that consequently the piratical publisher (we speak generally) is entitled to the gratitude of the community for supplying their literary wants at a small cost. This question, Messrs. Thacker and Co., Pittar, Lasley and Co., and Ostell and Co., dealers in this line, could, we should suppose, settle very satisfactorily, and it is difficult to conceive these sort of houses so neglectful of their own interests, as not to have a supply ready for and co-extensive with the probable

demand, and we think, the *Englishman* is bound to shew in proof of his justification of the act of piracy he supports, that there are no *Jack Brags* on sale in Calcutta, and that under the plea of necessity the publisher of the cheap edition may have something to urge in extenuation. But as the matter now stands, the pirating of *Jack Brag* works an injury on the interests of the author and the "trade," both here and at home, and is, moreover, a violation of the universally recognised principle, the right of an author in his own works,—a principle fully acted up to, by the recent enactment of the American Congress, published in this journal on the 12th of August. But our cotemporary considers the arguments in favour of copyright to apply as much to the contents of newspapers and magazines as to books, and that he should just as soon expect to be censured for re-printing articles of the *Times* and *New Monthly Magazine*, as for putting forth complete second-hand editions of popular works. This is assuredly an erroneous position, looking at it and turning it over in every possible point of view In the first place, the reprint of an article from the *Times* or the *New Monthly*, to put the instances of the *Englishman*, by a paper circulating here, is the loan of the article in question by the Editor to his readers; in so reprinting he does not *sell* a cheap edition of the *Times* or of the *New Monthly Magazine*, he does not in any wise interfere with the *profits* of the proprietors of the publications in question; he, on the contrary, ADVERTISES their property, and contributes to render it more valuable; wich result we take it, is not worked, by pirating and selling cheap editions of books. At least we shall wait until the *Englishman* shews us the analogy which he alledges to exist between the two cases, before we recognize his argument to be any thing other than an absurdity. The public, it will however be contended, benefits by the opportunity of reading *at a cheap rate*. The public certainly gets the pirated copies cheaper, but a principle of justice and of right, is violated to ensure this advantage, and it is, we submit, the duty of a Government to interfere to prevent any such violation. If a merchant send a bale of goods from London to Calcutta, on its arrival in the river, the law immediately envelops it with a protecting power,—why should not a box of books enjoy the same privilege. True it is, you may not steal the books themselves, but as matters at present stand, literary pirates may, and do steal the whole or nearly the whole value of the books, by destoying the chance of realizing that value. We hear it constantly said, that the public may, if they please, purchase of servants, wines, liqueurs, pickles, &c. at about one-fifth the price at which the masters of those servants have bought these goods; but, heaven forbid, that we should avail ourselves of the opportunity, the law would try conclusions with us, as to our knowledge of the goods being honestly obtained by the vendors, and although we might escape conviction, still could we not escape the stigma of the transaction. We confess we do not see much difference between the cases of a purchaser under the above-mentioned circumstances, and the purshaser of the pirated books. People have chosen to *think* on the *one* question, and have not yet condescended to reason upon the *other*; but let us examine the relative positions of the author and publisher, and the literary pirate:

The author, from his habits of mind and body, has probably no other means of supporting himself and family than by the labour of his brains. He is a dealer in genius, in wit, in fancy, imagination, style, poetry; he dispenses learning, amusement, solace, morals, and happiness, by the mere working of his inventive faculty. All this, when embodied in a work, he disposes of, for due consideration to his publisher. The publisher purchases at a high price, and acquires a limited property in all the mental commodities with which the author has invested his book. The book is put up for sale, in the hope of realizing a profit on the price paid for the above mentioned commodities; when down comes the literary pirate, and without being at any other expense than that of employing a few hands to set up type, acquires to himself all the profit and advantage, the right to which had been paid for by the orginal publisher; every farthing of which gain or profit to the pirate, must be put down to the loss of the man justly entitled to such profit! It may, however, be said, a great many people would never see the book, but for the pirated edition. To which we reply, if any body is entitled to the profits of the *cheap* edition, it is the author or the publisher, as the case may be, and not the pirate, and to us it appears, that no honest man, who had thought on the subject, would think of publishing a cheap edition of a popular work, without having first communicated with the publishers at home. If a cheap edition be wanted, doubtless a cheap edition will in all cases be published, and the owner of the copyright is the only person entitled to its profits. If, however, a cheap edition be inconsistent with the interests of the owner of the copy right, we are unable to comprehend the argument by which the injury to those interests, and the violation of those rights is justified on the score of expediency. *Sic utere tuo ut alienjura non ladas*, is a principle both in legislation, and in morals. But the literary pirate, not only does not use his own, so as not to violate or injure the rights of others, but on the contrary, he uses what *is not his own*, for the purpose of injuring what is the property of another. We trust, that these observations may cause this subject to be attentively considered; for as we have already said, it is our conviction, as at present advised, that no man of honorable feeling, and honest intention, would with our view of the subject before him, think of printing and selling pirated editions of literary property.—*Hurkaru, August* 17.

"The first number of the highly entertaining Posthumous Papers of the Pickwick Club,

ingly sent to us by that gentleman. * * * * We trust that our forebodings may prove fallacious, and that Mr. Rushton *may meet with sufficient encouragement* TO INDUCE HIM TO CONTINUE THE WORK OF RE-PUBLICATION, &c. &c. &c"—*Hurkaru, March* 27.

"What will our correspondent say to those who invade the copyright of parties who publish on the spot? This we think *is* too bad. * * * * Whilst this is going on in Calcutta, and the market is inundated by American cheap editions of English works, we think we should be guilty of very great injustice, IF WE OMITTED TO DEFEND *Mr. Rushton's re-publication* of the *Pickwick Papers*, by which the public are supplied with an amusing work, *while it is fresh* AND IN DEMAND, without invading a right which the author would never have thought it worth while to exercise.—*Ibid, March* 29.

"We assure him [a correspondent] that if Mr. Rushton were to communicate with '*Boz's*' publisher on the subject of re-publication, the latter would tell him, that he was too late, the thing was gone by, the distance of time was so great, that the work *had lost its interest*; in a ward, that it would not answer. So much for the infringement of a valuable right!"—*Ibid, March* 31.

For Sale at the Hurkaru Library.

The Brigand, a romantic drama, in 2 acts, by J. R. Planche, 2 rupees.

The Hunchback, a play, in 5 acts, by James Sheridan Knowles, 2 rupees.

PAUL PRY, a comedy, in 3 acts, 1 rupee.

VELGINIUS, a tragedy, &c. &c.

The WIFE, &c. &c. &c. &c. &c.

If we had not had examples *ad nauseam* during the past eighteen months of the determination of the *Hurkaru* never to hold to an opinion on any one question under heaven for half a year together, we should have been thunderstruck at the doctrines put forth in yesterday's paper on the subject of re-prints. We had always thought that the system of republishing which Mr. Rushton has commenced on a grand scale, had received the warm approbation and advocacy of the *Hurkaru*, and certainly the passages we have quoted above, amply warranted such a conclusion; but under the influence of some new light, or biassed, perhaps, by some rumour of the charitable Member in respect to literary pirates, our contemporary has suddenly veered round and left us to fight the battle of the Calcutta edition of *Jack Brag* and the *Pickwicks* single-handed. It were a work of supererogation to animadvert upon this amusing practical specimen of Jem Crowism, so very disgraceful to a paper of any pretensions to honesty and consistency; but as it imposes upon us the trouble of overthrowing the new doctrines we may, while quoting them for our text, place them in juxta position with the ancient opinions.

THE HURKARU IN AUG.

"With this speculation of Mr Ruston, we have nothing to do, &c."—*Hurkaru, Aug.* 17, 1837.

"To us it appears, that no honest man, who had thought on the subject, would think of publishing a cheap edition of a popular work, *without having first communicated with the publishers at home* If a cheap edition be wanted doubtless a cheap edition will in all cases be published, and the owner of the copyright is the only person entitled to its profits."—*Hurkaru, Aug.* 17, 1837.

"The author, from his habits of mind and body, has probably no other means of supporting himself and family than by the labour of his brains. He is a dealer in genius, in wit, in fancy, imagination, style, poetry,—he dispences learning, amusement, solace, morals and happiness, by the mere working of his inventive faculty. All this when embodied in a work, he disposes of for due consideration, to his publisher. The publisher purchases at a high price, and *acquires a limitted property* in all the mental commodities with which the author has invested his book. The book is put up for sale, in the hope of realizing a profit on the price paid for the abovementioned commodities—*when down comes the literary pirate, and without being at any other expense than that of employing a few hands to set up type*, acquires to himself all the profit and advantage THE RIGHT to which had been paid for by the original publisher—every far-

THE HURKARU IN MARCH.

'We trust Mr. Rushton may meet with sufficient encouragement to induce him to continue the work, &c

We assure him (a correspondent) that if Mr. Rushton *were to communicate with Boz's bookseller on the subject of re publication*, the latter would tell him, *that he was to late—the thing was gone by, the distance of time was so great that the work had lost its interest*, in a ward that it would not answer so much for the infringement of a valuable right —*Hurkaru, March* 31.

We should be guilty of very great injustice *if we omitted to defend Mr. Rushton's re-publications of the* PICKWICK PAPERS by which the public are supplied with an amusing work while it is fresh, and in demand, WITHOUT INVADING A RIGHT *which the author never thought it worth while to exercise!*

thing of which gain or profit to the pirate, must be put down to the loss of the man *justly entitled* to such profit! It may, however, be said a great many people would never see the book, but for the pirated edition. To which we reply,-if any body is entitled to the profits of the *cheap* edition, it is the author or the publisher, as the case may be and not the pirate.

* * * *

But the literary pirate, not only does not use his own, so as not to violate or injure the rights of others; but, on the contrary, he uses what *is not his own*, for the purpose of injuring what is the property of another. We trust, that these observations may cause this subject to be attentively considered; for, as we have already said, it is our conviction, as at present advised, that no man of honorable feeling and honest intention, would, with our view of the subject before him, think of printing and selling pirated editions of literary property.

"For sale at the *Bengal Hurkaru* Library. *Virginius*, a tragedy. *The Hunchback*, a play, &c. &c. (N. B. Price at Thackers & Co.'s, &c. 5 rupees. Price of *re-print* by S. Smith and Co. 2 rupees.) ED.—*Englishman*.

N. B. Printed for the use of the Chowringhee Theatre, without which these plays could not have been represented there.

S. S. & Co.

* * *

It thus appears, that the new born-objections on the *Bengal Hurkaru* to the re-print of works published elsewhere,* resolve themselves into a tender regard for the rights of *authors* and property of *publishers*, to touch either of which is in the opinion of our brother (*at present* at least) dishonest in the extreme. We might reverse the old practice in this instance and appeal from Philip sober to Philip drunk, but we prefer depending on our own view, and first as to the rights of authors. An author of good repute manufactures a work which he is disposed to give to the world for a consideration. He goes to a publisher and drawing the MS. from his left hand coat pocket stipulates for the sale of the copyright. The publisher—if a Colburn or a Murray offers, a good round sum, regulated always by the fame of the writer, the season of the year, and the state of the appetite of the reading public. The author, needy as authors are, and always have been, has no stomach for a negociation, no patience for a protracted bargain. He, closes with the publisher, hands over the MS., sacks the purchase money, *and bids adieu at once and for ever to all right and title to any part of the work*—excepting the addition of fame which may accrue from its dissemination. Monsieur, the Publisher, then goes to work with his printers, and his pressmen, and calculating according to his best ability and his hopes, the probable extent of the demand, prints a given number of copies and breaks up his type. The *trade* subscribe for a number of copies, the publisher retails the rest, and if he sells the whole impression he has re-paid himself and pocketed *all the profit he ever anticipated*. Should the public entertain a different view of the merits of the work to that which the publisher formed, and demand new editions; the event must be regarded as a happy and unforeseen accident for the holder of the copyright; especially, if he is in a country where the privilege of exclusive publication is secured to him by the laws; but we hold that he, the publisher, has no *more* right to what he disposed of in the first instance *to the public* at remuneration computed by himself, than the man in the moon. The work has become public property and he who multiplies it, at a risk especially 15,000 miles away from the original place of publication, is entitled to public acknowledgement and support. There must be a limit somewhere to the rights of authors and publishers, and if it is not confined within an impression or two, and one good payment in purchase or the copyright, there is no reason why the exclusive property should not descend like an estate from generation to generation, of course, to the great disadvantage of society, for no single establishment could possibly manage at all times to keep pace with this avidity of the public appetite. Imagine the publication of Shakespeare's works limited by law to one individual and his descendant.

In answer to our observations on the system of transfering to the daily papers *excerpta* from the *Times* and *New Monthly* (a usage, no one dreams of decrying) was on a par in point of *crime* with that of re printing entire publications, the *Hurkaru* says, "Oh no, the extracts from newspapers and magazines are no invasion of original property; on the contrary, they are *advertisements* of the papers and periodicals quoted from!" We take this to be a desperate dive after a drowning case. Our contemporary must have hazarded the bright idea with the hope, rather than the assurance, that he would not be flatly and peremptorily contradicted. The writer of the August opinions—the *August* writer as we must henceforth call him—knows well enough, that his readers have too much sagacity to confound the wholesale re-prints of English papers, indulged in by Indian editors, with an occasional selection, good naturedly made

* It is amusing to observe that when these reprints were defended 4 months ago, an exception was made in regard to the reprint of Calcutta books. We believe some person had been printing S. Smith and Co.'s Directory! *Verbum Sat.*

on the *ab uno disce omnes* principle. However, the attempt to defend these newspaper re-prints shews, that our brother is, in truth, only half a convert to the anti-*Jack Brag*-cheap-editionism, and would not even go that length if his own interests and practices were in any degree compromised by the apostacy. If he had recollected for a moment that his own establishment has been for years past in the habit of re-printing English plays of *living popular authors*, poems by Byron, and Field Manœuvres or Exercises, we doubt if he would have ventured to have said a syllable in opposition to the few words we wrote on Tuesday in praise of Mr. Rushton's speculations.

One word more. Encourged by the flattering testimonials of the *Hurkaru*, for the experience of whose proprietor (*as a publisher*) Mr. Rushton had the highest respect, our worthy coadjutor was induced to persevere in his speculation, and has thereby incurred much labor and serious risks. Does it then become Mr. Smith to allow his editor to turn round now, and endeavor to check the current of Mr. Rushton's enterprize? We would recommend our brother to be prompt in the performance of an act of justice, and immediately to write an article recanting all the opinions proclaimed yesterday. No one will mind the change; certainly, no one will wonder at it, after all that has been done.—*Englishman*, *August* 18.

Our observations on the subject of literary piracies have, as a matter of course, placed us in collision with the *Englishman*, who very valiantly sustains the practice. He commences his attack upon this journal by puting forward his favorite weapon of assault; our *inconsistency*, a charge which he regularly makes about once a week, and which we as regularly disprove. Were we inclined to take the trouble we might, we believe, quote the *Englishman* against himself on almost every topic on which he has ever had an article; but it is not worth while, and it is difficult to see, how our alleged inconsistency in any degree affects the question upon which this journal and the *Englishman* are now at issue. His object in making these constant charges of inconsistency, we will not pretend to guess at, seeing that the ways of our brother are crooked, deviating and dirty, and that prudence and inclination alike prevent us from following him. But our brother has, we suppose, his own reasons for parading in his columns the "charge of inconsistency against us, and then taking especial care never to publish our denial in refutation, and disproof of the said charges; and this is, we suppose, what he calls *tact*.

We very willingly leave it to this sort of *tact* to work out its intended effects against us, and to the public to form its own opinion of the impartiality, the honesty, good faith, and consistency of our journal; and we turn to the question under discussion. We are charged by the *Englishman* with having given our warm encouragement and advocacy to the system of re-publishing, which Mr. Rushton has, in the words of our contemporary, *commenced on a grand scale*. This is a mistake on the part of our cotemporary. The re-publication of the Pickwick Papers, was all that we encouraged Mr. Rushton in; they were a popular set of papers, published at home weekly, likely, as it struck us, to be ephemeral enough in their popularity, and having little or no pretensions to be classed under the head of works of literature; they were, moreover, out of print in Calcutta; there were no copies to be had, and the re-publication of such a trifle was not likely to work any considerable injury to the interests of the proprietor; and it did to us appear preposterous to wait the return of an application to the publisher at home on the subject of a re-print, considering the limited and temporary demand for copies likely to be made in India; in one word, we considered the Pickwick papers an exception from the general rule, and we thought that Mr. Rushton would dispense some amusement among his friends and patrons, by the re-print of these papers without doing any substantial injury worth notice to Boz, or his publisher, or to the *trade* here, and without invading any right which the proprietor would *have thought it worth while to exercise*. If in saying thus much we have led Mr Rushton into the undertaking of *re publishing* on a *grand scale*, we must of course regret the fact; but we are not answerable for Mr. Rushton's misinterpretation, or rather for his very extended interpretation, of our observations. It is not our fault if he have argued from a *particular* to a *general* and have adopted, as our advocacy of a general rule, that which only went to the exception. We encouraged Mr. Rushton to re-publish the Pickwick Papers as an isolated piece of accommodation to those who could not otherwise obtain a sight of them; but we deprecate the system of *re publication on a grand scale* now adopted. We reprobate it as *illegal* and dishonest, as working an injury, and a serious one, to the interests of the publishers or authors at home, and of the trade here. *Rory O' More*, *Jack Brag* and *Napier's Peninsular war*, are works likely to be in great demand throughout India; there can be no doubt, but that the reading public of this colony is taken into consideration by the publisher, when he makes his offer to the author, and there can be equally little doubt but that this system of priacy on a grand scale, if persevered in, will eventually diminish the value of an author's works to him, and thus unjustly deprive him of a portion of his property. *But it is urged that we have set the example!* We have republished a Poem of Lord Byron's, *the Island*, and have also re-printed certain plays and Military Drill Books!! we are not therefore in a position to preach against priacy!! As we have already said, we do not see how our delinquencies (supposing them to be such) can justify those of another person; but we will state the circumstances under which we re-printed the poem, field

exercises and plays, leaving to those who read, to determine the degree of analogy subsisting between our case and that of the re-publisher of standard works and popular novels *on a grand scale.*

The *poem of the Island*, was re-printed by us some fifteen years ago, when the literary communication between the countries was not so regular as it now is. We had received an early copy, there were no others in Calcutta, curiosity was intense, we published the poem in the *Hurkaru*, and at the urgent request of several friends and supporters, we struck off a few copies from the *Hurkaru* types before they were broken up; so far we are pretty much on a par with Mr. Rushton in his re print of the Pickwick Papers. As to the field exercises, there were no copies to be had and the army wanted copies. But field exercises are not a literary production, neither was Major General Sir John McDonald supposed to consider the sale of the work as of any consequence, and we have good reason to know that the giving of the extended publicity to the field exercises consequent upon our re-print of them, had the approbation of the only person whose interests were involved; i. e. the compiler or composer, or by whatever name he may be appropriately designated. The plays we have reprinted have made their several appearances at intervals extending over a space of some 20 years. We have never re printed any one of them, but at the express desire of the managers, and then not for the purpose of general publication, but merely to enable the amateurs to get up their plays True it is, that we have occasionally advertised the list of these plays, with a view to the accommodation of the public; we printed off but few copies, and never with a view to *profit*, but simply to reimburse our own expences. From the nature of our establishment, the loss which has, we believe, in every instance ensued on these re prints, is of so little consequence, that it is not worth mentioning, and, moreover, in very many of these plays the copyright had long since expired, so that all the world was at liberty to re-print without damage to the interests of those in whom the copy right had existed. Our readers have now before them the cases cited against us. We have never re-printed with a view to interfere with the profits of those legitimately entitled to them; with us it has never been *part* of a system, *nor on a grand scale!* and we confidently submit, that our re-prints do not come under the head of literary piracy, in as much as we did not print with a view to profits and that no one's interests have suffered by our re-publication. With these observations, we leave this part of this question, to come to the *Englishman's* disquisitions on the rights of authors:—

And first as to the rights of authors. An author of good repute manufactures a work which he is disposed to give to the world for a consideration. He goes to a publisher, and drawing the MS. from his left hand coat pocket, stipulates for the sale of the copy-right. The publisher, a Colburn or a Murray, offers a good round sum, regulated always by the fame of the writer, the season of the year, and the state of the appetite of the reading public. The author, needy as authors are, and always have been has no stomach for a negotiation—no patience for a protracted bargain. He closes with the publisher, hands over the MS., shakes the purchase money, *and bids adieu at once and for ever to all right and title to any part of the work*, excepting the additional fame which may accrue from its dissemination. Monsieur the Publisher then goes to work with his printers, and his pressmen, and calculating according to his best ability and his hopes, the probable extent of the demand, prints a given number of copies and breaks up his type. The *trade* subscribe for a number of copies, the publisher retails the rest, and if he sells the whole impression he has re-paid himself and pocketed *all the profit he ever anticipated.* Should the public entertain that a different view of the merits of the work to that which the publisher formed, and demand new editions, the event must be regarded as a happy and unforeseen accident for the holder of the copyright, especially if he is in a country where the privilege of exclusive publication is secured to him by the laws. But we hold, that he, the publisher, has no more *moral* right to what he disposed of in the first instance *to the public* at a remunerating rate *computed by himself*, than the man in the moon. The work has become public property, and he who multiplies it, at a risk, especially 15,000 miles away from the original place of publication, is entitled to public acknowledgment and support. There must be a limit somewhere to the rights of authors and publishers, and if it is not confined within an impression or two, and one good payment in purchase of the copyright, there is no reason why the exclusive property should not descend like an estate from generation to generation, of course to the great disadvantage of society, for no single establishment could possibly manage at all times to keep pace with the avidity of the public appetite. Imagine the publication of Shakespeare's works limited by law to one individual and his descendants!

From this passage, it is quite evident, that our cotemporary has the most heterodox opinions; and, moreover, that he is really very ignorant of his subject. In the first place, the author, when he hands over his manuscript, may or may not, according to his contract with the publisher, *bid adieu at once and for ever to all right and title to any part of the work.* Upon this point let us see what is the state of facts. A person who writes a literary work has property in the composition; and therefore the unauthorized appropriation of it by another for his own benefit, is the violation of a *common law right.* See the great case *of* Millar *v.* Taylor, in the *4th volume of Burrough's Reports*, and the observations of the Judges of the King's Bench on this point; which case we recommend *passim* to the perusal of all re-printers of literary works for profit—*verbum sap.* With regard to the publication, it was enacted by

the Stat. 8th Anne c. 19, that the author, his assignee or assigns should have the sole liberty of printing and re-printing his book for the term of 14 years from the day of publication, and that if he should be living at the end of such term, he should enjoy the same for fourteen years longer. And by the 54 Geo. 3, C. 156, the duration of the copyright has been extended, and an author, his assignee or assigns have, by virtue of it the sole liberty of printing and re-printing his book for the term of 28 years, and if he the author be living at the end of that period, for the term of his life. So that *Rory O' More, Jack Bray*, and the Napier's history, have at least 28 years of legal existence to run, during which time the sole right of publication is in either the publisher or the author, *and the right of the publisher, can be no other than the right of the author.*

The *Englishman* says, the publisher *has no more moral right* to what he purchases from the author than the man in the moon. Now, inasmuch as the moral right of the publisher must depend upon the degree of moral right in the author, if the author have a moral right, which he consents to alienate, it follows as a matter of course, that the publisher acquires that moral right, (moral right, be it observed, is the *Englishman's* phrase and not ours, and we very much doubt if our cotemporary has any defined notion of what he means.) But to examine this moral right in the author. "The claim of an author in his literary *property*, is founded upon the *original* right to his work as being the result of his *mental labor*; and the *effect* and *produce* of that labour is his; it is a *personal, incorporeal property, saleable*, and *profitable*; it has *indicia certa*; for when the same are communicated to the right and understanding of every man by the medium of printing, the work becomes a *distinguishable* subject of *property*, and not totally destitute of *corporeal* qualities. Now *without* publication it is useless to the owner, because without *profit*; and property without the power of use and disposal—is an empty sound." Let us now see upon what this *original* right in the author is founded, and if we can show that such an *original* right is not *contrary to reason*, and to *natural principles*, but that such right is in conformity with both the one and the other, we shall then, we think, be entitled to call an author's right in his literary property in the words of the *Englishman a moral right*. "*Moral good and evil* are coincident with *right and wrong*; for that cannot be *good* which is *wrong*: nor that *evil*, which is *right*. *Right reason* is the great law of nature, by which our acts are to be judged; and according to their conformity to this, or deflexion from it, are to be called *lawful* or *unlawful*, good or bad. Whatever will bear to be tried by right reason is *right*, that which is condemned by it, is *wrong*. To act according to right reason, and to act according in truth, are in effect the same thing. Man is capable of distinct properties in things, which *he* only can call *his*. The labour of B. cannot be the labour of C., because it is the application of the organs and powers of B., and not of C., to the effecting of something; and therefore the labour is as much B.'s, as the limbs and faculties made use of, are his."

Again, "the effect or produce of the labour of B., is not the effect of the labour of C; and, therefore, this effect or produce is B's, not C's. It is as much B's, as the labour was his, not C's; because, what the labour of B. causes or produces, B. produces by his labour; or it is the product of his labour. Therefore it is his, not C.'s, or any other's. And if C. should pretend to any property in that, which B. only can truly call his, he would act contrary to truth.

That to deprive a man of the fruit of his own cares and sweat; and to enter upon it, he is here speaking of the cultivation of lands,]" as if it was the effect of the intruders's pains and travel, is a most manifest violation of truth: it is asserting, in fact, that to be HIS, which can not be HIS.

There is, then, such a thing as property, founded in nature and truth; or, there are things, which one man only can, consistently with nature and truth call his: as proposition 2, 8, 9, demonstrate.

And those things, which only one man can truly and properly call his, must remain his, till he agrees to part with them by compact or donation; because no man can deprive him of them without his approbation; but the depriver must use them as his, when they are not his, in contradiction to truth. For, to have the property of any thing, and to have the sole right of using and disposing of it, are the same thing; they are equivalent expressions.

Property, without the use, is an empty sound. He who uses or disposes of any thing does by that declare it to be his; because this is all that he whose it really is, can do: borrowing and hiring afford no objection to this; for, he uses what is his own for the time allowed; and his doing so, is only in one of those ways, in which the true proprietary disposes of it.

To these learned postulata, which we suppose the *Englishman* will allow establish a *moral right* in the author of literary property we will add one observation, which is now become a postulatum of law, which is "that literary compositions in their original state, and the incorporeal right of the publication of them are the *private and exclusive property* of the author; and that they may ever be *retained* so and if they are ravished from him before publication, *trespass or trover* lies for them." Now the publication against the will, or without the sanction of the author has been held *destructive of* the property; and by the same process of reasoning we suppose, that after the right, *legal* and *moral*, as we now are in a condition to contend, has passed from the author to the publisher by the process of assignment, the re-publication by authers without the sanction of the publishers is an infringement of the right both *legal* and *moral* of

publisher; and the piratical re-printer for profit, *therefore* sins both against *law*, and against morality. Q. E. D.

If any one should doubt our postulata, we beg to refer them to the judgment in Miller and Taylor, where they will find marginal references to the learned work from whence we have culled the above flowers in aid of our argument as to the *moral* right of he publisher in the literary compositions he purchases from the author. The *Englishman*, after having laid down his theory of *moral* right, proceeds with the *argumentum ab inconvenienti* and says there must be a limit somewhere to the rights of authors and publishers also. "*Conceive the inconvenience of the publication of Shakespeare's works being confined by law to one individual and his descendants*" says he: the limit is marked out by law, 28 years in case of death before their expiration; or for *life*, if that continue longer than 28 years after the day of publication; there is, therefore, no necessity for setting the imagination at work to conceive inconveniences resulting from the want of a law long since in existence, and "the exclusive property in a literary work cannot descend like an estate from generation to generation;" and this argument of our cotemporary (we must, we suppose, call it) might have been kept for a more fitting occasion. We have now, we think, shewn that there is a positive wrong committed by a piratical re-print of English books in Calcutta.

With respect to re-prints from newspapers, which the *Englishman* says, is an analogous proceeding, NEGATUR is still our observation; the existence of a newspaper is ephemeral. All the morning papers are as a literary production to their publishers defunct upon publication. Nobody would buy one old newspaper, unless for a particular subject of reference; in re-publishing its articles, therefore, you do no possible *injury* to the interests of its proprietor, on the *contrary*, you advertise the name, and extend its circulation. The *Englishman*, however, does not impugn the practice we now uphold, although he considers it piratical. We have the advantage of him on the point of conscience, in as much as we approve of the practice and justify the principle of re-printing from newspapers. We need not, therefore, further discuss this point, which we leave the more readily, that we fear we have written an unmercifully long article, every position of which will appear to every one, but the *Englishman* and parties interested, as a string of truisms, long recognized and incontrovertible. People, however, are apt to take much for granted without examination, especially those who *can* put their trust in our morning cotemporary, who would not otherwise *dare* to insult common sense, and common principle, by his diurnal exhibition of heterodox extravagancies and ignorance. We invite him to set his readers right by the re-publication of our remarks; but *that* he will take especial care not to do, and will endeavour to persuade people that this *sin of omission*, which is unfair to *us* and *his readers*, is a piece of editorial tact.—*Hurkaru, Aug.* 19.

Some remarks have found their way into the *Hurkaru* on the subject of re-prints of popular English works, of a tendency so opposed to the known opinions and practice of the ostensible editor of that journal, that we barely refer to them, without further comment, in perfect confidence that they obtained insertion during a soporific fit to which editors and respectable old gentlemen are subject during the rains. The editor of the *Englishman*, in reply to the *Hurkaru*, has traced the practice in this country to the remote antiquity of fifteen years, when Byron's "Island" was first introduced to the Indian public by our contemporary Mr. Samuel Smith, who has in the interim re-published many other popular works, to wit "*Jacob Faithful*," Sheridan Knowles' *Virginius*, &c &c. Men do not readily perceive defects in what they have been accustomed to venerate, and we are content to leave the public to pronounce its own judgment without advancing another word in defence of our publisher's proceeding. We submit, however, that before the practice of re printing can be considered illegal, it must be shown that the law of copyright applies to this country. We have the opinion of the real Simon Pure editor of the *Hurkaru*, that it does not; the anonymous writer has not asserted the contrary; and if he were to do so, we have too much respect for common sense and have had sufficient experience during the last ten years to place any confidence in the interpretation of acts of Parliament by anonymous writers in the *Hurkaru*.—*Oriental Observer, August* 19.

A discussion has been carried on during the week of a peculiarly interesting character, as the subject it relates to is of very considerable importance and has recently and almost simultaneously occupied the attention of the American Congress and the British Parliament; the subject we allude to is, that of the property of authors in their works, otherwise called copyright. This discussion may be taken as an admirable illustration of the grand distinguishing characteristics, which mark the difference between the mode in which the former journal handles an argument, and the latter. The *Englishman* in this, as in daily instances, betrays an utter ignorance of just principles; or rather affords a proof that when the "get money" precept can be acted upon, the qualification of "honestly" in his view of the matter, is only "if you can." The question of copyright is clear and plain; and may be illustrated even mechanically in manner following: A, by combining a certain number of characters in a particular manner, has the power of so impressing a piece of paper, that it becomes worth a certain number of rupees; it matters not whether those rupees be given because the paper so marked expresses that A will pay so much money, a species of value which A alone can give to it; or, because, it conveys a tale or a poem which A. only can write, and for which the public will give an equal number of rupees. In the former case, A gives the paper value by one

mode; in the latter by another; yet, in each case it is A alone that gives it that value; hence every imitation of A.'s poem is as much a forgery as an imitation of his note-of-hand.

We remark that Sergeant Talfourd has brought forward a motion to bring in a Bill, extending the right in the author's work, to his own life, and 28 years beyond its termination. For ourselves we do not see any just reason why the right in literary property should not co-exterminate with the right to property of any other description; nay, if any property may be called really and independently his own, it is that which he absolutely creates. A man makes a pair of shoes; they are his and his heirs for ever: another man creates a property of another kind, which may be termed the power of making a poem on a blank sheet of paper by a certain arrangement of types; why should not both properties be equally protected? The only objection to their being so protected, arises from the circumstance that in the one instance the shoe-maker makes or creates an individual pair of shoes; in the other case, the author invents that which is equivalent to many thousands of poems—nay to an infinitude. Let us suppose that a man invented a machine for making shoes; would he not be entitled to a patent for it to secure his property in this power to multiply shoes? Assuredly, what is a capacity to write a book, but a power to produce multitudes of that book?

The controversy between the *Hurkaru* and the *Englishman*, on this subject, originated in some remarks of the former, upon an advertisement of an intention to re-publish in Calcutta, several recent publications, "on a large scale," comprehending Napier's Peninsular War.

This proceeding, the *Hurkaru* condemned as an Infringement upon the copyright, either of the author, or his assignee.

The *Englishman*, however, defends the re-publication, of valuable works, at under prices, whilst it appears, there are copies in Calcutta, unsold, and sent out by the owner of the copyright for sale in this country. Nothing can be clearer than that such re-publication is fraudulent; but, says the *Englishman*, the *Hurkaru* himself commended Mr. Rushton's republication of the Pickwick Papers. With a generous wish to aid another publisher, we suppose, the *Hurkaru* did notice favorably the publication of those papers, but the *Hurkaru* took care to hint pretty broadly to Mr. Rushton, though good naturedly, that of the *profits* of such publication he might consider himself trustee for the owner of the copyright, who, we have no doubt, *now* will so consider him, and bring him to account for the large sale, which *he says* it has met with. We doubt not, the right owner will take him at his word, and consider his own the best possible evidence on the subject.

But the *Englishman* has the meanness to charge the *Hurkaru* with inconsistency for this act of generosity to another publisher, and for having published during a space of twenty years, half-a-dozen plays, for particular performances which could not by possibility have been otherwise procured, and which were published with no view whatever to profit. But the *Englishman* cannot distinguish between a re-publication of another man's work, with a view to cheat him out of the fruits of his labour and talent, and a re-publication *at a loss*, to contribute to purposes of public utility or public entertainment. The very instances produced by the *Englishman* of the re-publications and at different times by the *Hurkaru*, are exceptions that prove the general consistency of principle which that journal has maintained throughout.

Some very personal and impertinent remarks on the subject have been published in last night's *Observer*; they are too contemptible for further notice.—*Herald, August* 20.

The perseverance with which the *Hurkaru* is now going "the whole hog" pro-copyright is vastly amusing. He fancies himself, or would have the world fancy him, seized with a sudden fit of honesty, and presuming that his readers quite forget the scope and tendency of his former sentiments; his practices in regard to the re-print of plays, poems, psalms and books on drill and discipline; his deliberate and *bonâ-fide* sale of a copyright of one *Sporting Magazine*, and his subsequent publication of another for the express purpose of rivalling and ruining the purchaser of the copyright: his re-publication in his paper of entire pamphlets on banking and other questions, and his daily practice of *gutting*, to use a common phrase, the London newspapers which he receives; presuming, we say, upon the public oblivion of these interesting proceedings, the *Hurkaru* now plays the loud-tongued moralist, calls in the aid of law and the lawyers* to explain,

* We entreat of our readers to peruse the following legal exposition of the law of copy-right taken from the *Hurkaru* of October in last year. Let them then contrast this with the article in Saturday's paper, and say what credit is due to a journal that can thus shamelessly veer about on points of public importance. Such gross inconsistency is perfectly sickening.

We have had by us for the last five days the letter of our correspondent Darzeeleen Drosheenis. We presume he is a descendant of one of the early German printers, and we recognise at once the soundness of his doctrine respecting the extension of the law of copy-right to the colonies. The fears of the correspondent of the *Englishman*, Bookworm, whose legal positions on the subject our correspondent demolishes, will, we presume, be put an end to. We concur fully in the remarks of the *Oriental Observer* as to *benefit arising from cheap publications*, which gave rise to the letter of Bookworm. Cheap Publications are our grand engine of civilization. The object of the two acts cited by Bookworm (the 41. Geo. 3. c. 107, and the 54. Geo. 3. c. 156,) was the encouragement of printing in England and what possible advantage could accrue to the body of English printers ourselves from acts extended to India we are

justify and uphold his apostacy, and prates of "honesty" as if it were a virtue whose peculiar head-quarters are and have ever been in Hare Street. How far his new coadjutors have made out a case for the *Hurkaru*, those who take an interest in the controversy can ascertain by charitably purchasing a copy of the number of Saturday last. We are defied by our brother to publish the defence, because, as he complacently thinks, it entirely upsets our arguments. The *Hurkaru* knows well enough that the *Englishman* never refuses fair play to an antagonist, but it is *un peu fort* on the part of our adversary, to caper about call loudly for privileges which he is most seriously disinclined to allow others. Let us first see the *Hurkaru* re-publish our article of Friday last, in which the sentiments of March are exhibited as opposed to the doctrines of August; and the doctrines of August contrasted with the *practice* of August and all bygone time; and we promise him, on the faith of a true knight, to give him the benefit of the "*advertisement*" he seeks without charging him four annas per line for the insertion, as we ought to do for so heavy a sacrifice of space to so unsatisfactory an apology. Until this is done, we shall briefly state, for the benefit of our numerous readers, who are rarely indulged with a sight of the *Hurkaru*, that our contemporary draws fine distinctions between the act of re-printing for *pecuniary profit* and the act of re-printing for the *profit obtained by obliging one's friends*; that he endeavors to make it appear that *moral* rights and *legal* rights are synonimous; that a copyright by law extends to the period of 28 years and to all parts of the world; and that the *Pick-*

at a loss to see. It is equally difficult to us to suppose, that *any Government in its senses*, WOULD THINK of *prohibiting the inhabitants of India* from *purchasing books printed* in America, Germany, or France, *simply because* THEY HAPPEN TO BE RE-PRINTS OF ENGLISH WORKS, issuing from foreign presses. It would appear to us, moreover, that BOOKWORM, in his construction of the intent and meaning of the 54, Geo. 3, c. 156, *has jumped to a conclusion, directly contradicted by the 4th* section of the act itself. He states, that "this act, which verbally re-enacts the greater part of the former statute, omits the words, the *United Kingdom of Great Britain and Ireland* in the title, and the words *in Europe* in the body of the enactment," and that these ommissions, seem to have been made with the intent of bringing His Majesty's dominions in every part of the world, within the operation of the act. The 4 th section contains words to the following effect: that if any book-seller, or printer, or other person whatsoever, in any part of the *United Kingdom of Great Britain and Ireland, in the Isles of Man, Jersey or Guernsey, or any other part of the British dominions*, shall print, or re-print, or import any such books, &c., without the consent of the proprietor of the copyright, he shall be liable to a *special action* on the case, &c. Now, unless BOOKWORM means to contend, that India is part of the British dominions within the scope and meaning of the act, *it is clear that his interpretation is incorrect.* We suspect the words "other part of the British dominions," relates to the Hebrides, the Orkneys, &c., and *does not contemplate India*, the Canadas or the other colonies, else had they surely been more particularly alluded to; in addition to this, *the proposition is clear*, that no act of Parliament subsequent to the 13 Geo. 3d, *is of authority in India*, UNLESS SPECIALLY EXTENDED to the country. BOOKWORM, had he read the 54, Geo. 3, c. 156, which he cites, might also have drawn from it this inference, that his proposition respecting the right of an author to his copyright in perpetuity by common law, is erroneous. If such right *were* in authors, why does the legislature take the trouble of giving them *a special action on the case* against those who infringe this right? Why give them that by act of Parliament, which, according to BOOKWORM's common law, they possessed already?"—*Bengal Hurkaru, October 27, 1836.*

To the Editor of the Bengal Hurkaru and Chronicle.

SIR,—You have re-printed from the *Englishman*, a letter under the signature of BOOKWORM, which he stated to be written for the information of the book-trade of India The writer, however, with most becoming modesty, declares, that he would "heartily rejoice" to be convinced that he is in error, and as nothing is more gratifying to me than to impart satisfaction, I shall immediately proceed to give him cause for joy.

BOOKWORM's first proposition is, that by the "common law of England, any author was entitled to the exclusive enjoyment of his copyright in perpetuity." This I distinctly contradict, and on no slighter authority, than a decision of the House of Lords. I admit, that Wedderburn, Dunning, and Hargrave, did *as counsel* endeavour to support that dictum before the supreme tribunal; but, they were reminded, that the Mercian, the West Saxon, and Danish customs forming the great system of English common law, extend no further than A. D. 1189, and without determining the controversy between Haerlem, Mentz, and Strasburgh, or the merits of Coster, Gutenberg, and Schoeffer, that printing was not known in England until introduced by Sextenus, 1471. Now the words hold that common law, is immemorial usage; and if, therefore, the privilege of copyright could not have existed previous to 1471, and yet to be good by common law, it ought to *have existed before* 1189 then an author could have no common law right. It was this decision which alarmed the Universities, and made them obtain the 15, Geo. 3d, c. 53.

So much for BOOKWORM's mistake as to the common law. In regard to the statute law, he has not been more fortunate in his lucubrations. He would have the book-trade believe, that the 54, Geo. 3d, c. 156, extends to Calcutta, because the words *in the United Kingdom of Great Britain and Ireland*, and the word *Europe*, which are inserted in the 41, Geo. 3, c. 107, are omitted, in this act; therefore, says BOOKWORM, "this omission must have the legal effect of bringing His Majesty's dominions in every part of the world within the pale of prohibitions." This is bad logic, and worse law, but I will not stop to argue, when the sledge hammer of an authority, *alias* a case in point, is at my hand; if BOOKWORM ever opened a law-book, he can hardly be ignorant of the decision regarding the *nati* and the *post nati*; if he be, let him turn to 7th Boke I. If BOOKWORM ever sat a single day in the Supreme Court, he would have learned, that under the doctrine in Colvin's case, all the Judges have invariably held, that no Act of Parliament, since the 13 of Geo. I., A. D. 1726, is of authority in India, unless by especial enactment, extending it to this country, and as there is *no* such enactment in the statutes cited by BOOKWORM, they are of no avail in Bengal. Thus, Sir, I think, I have shewn that BOOKWORM's common law is bad, his statute law still worse, and I now trust that he will, as is becoming after his promise, "heartily rejoice."

I am, your obedient servant,

Ibid.] A DRITCHEN DRONKENNIS.

According to the *Hurkaru*, to extract an article from another paper is to *advertise* it. Yet he does not scruple to force one of these advertisements upon us without engaging to pay for the same! This is pretty cool.

wick *Papers* are not *Jack Brag*, and that *Jack Brag* is not Byron's "*Island*." To argue the matter further with our contemporary who can thus jump from one assertion to another, and resort to sophistry and impudence to 'do over an attempt to interrupt an undertaking suggested by the publik wants, were superfluous and, absurd. We shall leave him to exult over his new discoveries and to hug himself in the belief that Mr. Serjeant Talfourd,† who moves to extend the copyright (!) has the same notions with the *Hurkaru* as to its present broad limits. In the meantime, we exhort Mr. Rushton to follow the advice given him by the *Hurkaru* in March, and to imitate the example set by Messrs. Samuel Smith and Co. for many years. The Indian public should not any longer be held at the mercy of London publishers who, forming an erroneous estimate of our literary wants, send out one copy of a work when they should send out one hundred, and seek to profit by charging us sixty, seventy, and even a hundred per cent. advance on the retail price, because we are at a distance from the source of supply. On points of conscience, Mr. Rushton may borrow something from the *Hurkaru*. Our contemporary does not object to a profit on re-prints he merely differs with Mr. Rushton as to the *quality* of the profit. Mr. Smith was magnanimously satisfied, according to his *present* account, with having by *his* re-prints conferred an obligation upon certain influential people, without, of course, anticipating a return of favors in kind. Mr. Rushton is content to "sack the mopusses and ask no questions." The principle is the same in both cases. Perhaps, to leave the *Hurkaru* without one leg to stand upon, Mr. Rushton might oblige Thacker and Co., Lattey and Pittar, and Ostell by buying up their small stock of *Pickwicks* and *Brags*, at the advertised prices, but we do not see that it is positively necessary, because there is reason to think the *Hurkaru*, in his new-born zeal for the interest of the London trade, will do so himself. —*Englishman, August* 21.

Want of room, as we announced yesterday, prevented the insertion of the following article on the subject of the piratical re-prints :—

The *Oriental Observer* has some remarks on the subject of the literary piracies of its publisher, in which, apparently, Mr. Rushton makes very light of the dishonesty and immorality which, in our view of the matter, attaches to the unauthorized re-print of standard works and popular novels. The editor of the *Observer* appears to be perfectly satisfied provided the law do not reach him. He tells us, that we have not shewn him that the statutes of Anne and George the 3d apply to this country, and that he should not believe us if we asserted that they did. In requital of this amiable candour on the part of our weekly brother, we will, upon the principle of returning good for evil, proceed to lay before him the result of our perquisitions on the law of the matter. First, as to the statutes of the 8th of Queen Anne, c. 19, and the statutes of the 41st George 3d and 54th of George 3d, being extended to this country. We believe, that the statutes of George the 3d are wholly out of the question, inasmuch as the statute law of England extended to this country, must be taken generally to be limitted to the statutes passed previously to the year 1726. The statute of the 8th of Queen Anne, c. 19, came into operation on the 10th of April, 1710, and we therefore see no reason why, considering the objects and matters and rights embraced in this piece of legislation, it should not extend to this colony. Supposing, that it does so extend, we publish for the information of the *Observer*, that clause which particularly applies to its publisher in the matter of the re-prints.

"COPYRIGHT—BOOKS AND MUSIC.

"8 *Ann*, c. 19. An Act for the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies, during the times therein mentioned.

"Whereas printers, book-sellers, and other persons, have of late frequently taken the liberty of printing, re-printing, and publishing, or causing to be printed, re-printed, and published, books and other writings without the consent of the authors or proprietors of such books and writings, to their very great detriment, and too often to the ruin of them and their families; for preventing, therefore, such practices for the future, and for the encouragement of learned men to compose and write useful books, be it enacted, that from and after the tenth day of April, 1710, the author of any *book or books* already printed, who hath not transferred to any other the copy or copies of such book or books, share or shares thereof or the book-seller or book-sellers, printer or printers, or other person or persons, who hath or have purchased or acquired the copy or copies of any book or books, in order to print or re-print the same, shall have the sole right and liberty of printing such book and books for the term of one-and-twenty years, to commence from the said tenth day of April, and no longer; and that the author of any book or books already composed and not printed and published, or that shall hereafter be composed, and his *assignee or assigns* shall have the sole liberty of printing and re-printing such book and books for the term of fourteen years, to commence from the day of the first publishing of the same, and no longer; and that if any other bookseller, printer or other person whatsoever, from and after the tenth day of April, 1710, within the times granted and limited by this act, *as aforesaid*, shall print, re-print, or import, or cause to be printed, re-printed or imported any such book or books, without the consent of the proprietor or proprietors

† The serjeant has recently written a play called 'Ion,' and is of course anxious that his family should make the most of the work. There is no great demand for it howe

thereof, first had and obtained *in writing*, signed in the presence of two or more credible witnesses; or knowing the same to be so printed or re-printed without the consent of the proprietors, shall sell, publish, or expose to sale, or cause to be sold, published, or exposed to sale any *such book* or books without such consent first had and obtained as aforesaid; then such offender or offenders shall forfeit such book or books, and all and every sheet or sheets being part of such book or books, to the proprietor or proprietors of the copy thereof, who shall forthwith damask and make waste paper of them; and, further, that every such offender or offenders shall forfeit one penny for every sheet which shall be found in his, her, or their custody, either printed or printing, published or exposed to sale contrary to the true intent and meaning of this act; the one moiety thereof to the Queen's most excellent Majesty, her heirs and successors, and the other moiety thereof to any person or persons that shall sue for the same, to be recovered in any of her Majesty's Courts of Record at Westminster, by action of debt, bill, plaint or information, in which no wager of law, essoign, privilege or protection, or more than one imparlance shall be allowed."

But in addition to the remedies given by this statute in the shape of *penalties*, which may be sued for by any common informer, the author or his assignees have at *common law* a right of action for damages against any piratical publisher, on which point, we beg to refer our cotemporary to the case of Millar *v.* Taylor in the 4th Burrough's reports, and Donaldson *v.* Becket, in the same compilation, which cases go to the question of right in the author; first, to the exclusive right of publication in the first instance; secondly, to the exclusive right after publication, with remedy by action against all pirates; thirdly, as to the right of the author in his works in perpetuity; and, fourthly, whether or not, these three rights are limited, restrained, or taken away by the statute of Anne; upon all which points, our cotemporary will find in the above cases, much learning, philosophy, philanthropy, and reasoning. He will find that in Millar *v.* Taylor, which was a question on the piracy of *Thompson's Seasons*, Lord *Mansfield*, Mr. Justice *Willes*, and Mr. *Justice Aston*, after two solemn arguments in the King's Bench, held 1st, that by the *common law* an author had a right in works in perpetuity; and secondly, that the right was not taken away by the statute of the 8th of Queen Anne; and in Donaldson *v.* Becket, which was an appeal to the House of Lords, upon the three following questions referred to eleven Judges for their opinion, viz; "1. Whether at common law, an author of any book or literary composition had the sole right of first printing and publishing the same for sale; and might bring an action against any person who printed, published and sold the same without his consent?

"2. If the author had such right originally, has the law take it away, upon his printing and publishing such book or literary composition; and might any person afterwards reprint and sell, for his own benefit, such book or literary composition, against the will of the author?

"3. If such action would have lain at common Law, is it taken away by the statute of 8th *Ann?* And is an author, by the said statute, precluded from every remedy, except on the foundation of the said statute and on the terms and conditions prescribed thereby?"

Out of eleven judges there were eight to three upon the first question in favour of the right of the author, seven to four upon the second, and five to six upon the third; but Sir James Burrow adds—

"It was notorious that Lord Mansfield adhered to his opinion; and therefore *concurred* with the eight upon the first question; with the seven upon the second; and with the five upon the third. But it being very unusual from reasons of delicacy, for a Peer to support his own judgment upon an appeal to the House of Lords, he did not speak."

Upon the question, therefore, of the *common law right* in an author to his works, being taken away by the statute of Anne, the judges were six to six.

The six in favour of the author's perpetual right being Lord Mansfield, the Lord Chief Baron of the Exchequer, Mr. *Justice Ashurst*, Mr. *Justice Aston*, Mr. *Justice Willes*, and Mr. *Justice Blackstone*.

But whether an author have or have not a perpetual right not taken away by the statute of Anne, the only statute on the subject which we believe can apply to this country, it is quite clear from the decision of Beckford *v.* Hood, in the 7th term reports, that: *An author whose work is pirated before the expiration of "28 years from the first publication of it, may maintain an action on the case for damages against the offending party, although the work was not entered at Stationer's Hall, and although it was* first published without the *name of the author.*"

And this case we recommend to the especial perusal of the *Observer's* editor.

The case is of first chop authority, the judges all concurring and the said judges being, Lord *Kenyon*, Mr. Justice Ashurst, *Mr. Justice Grose*, and Mr. Justice Lawrence, four of the greatest lawyers England has yet possessed. It is quite clear, therefore, from all this, that if the statute of Anne extends to this country, the piratical publisher of *Jack Brag*, is liable to the penalties inflicted in the statute upon information laid; and that whether it does or does not, he has made himself liable to an action for damages, the author or his assigns having a remedy at *common law* independently of the remedy given by the statute of

Anne, on the principle as laid down in *Beckford versus Hood*, that during the existence of the copy right the author's right of action for damages exists, the penalties given by the statute being liable to be sued for by any common informer; so that if the author's remedy were confined to the penalties imposed by statute, and that the common informer should be beforehand with him, in suing under the statute for the penalties, the author or his assigns would be without compensation, or remedy against the pirates; the *common-law right*, therefore, in the author, is a right concurrent with his remedy by statute; and having now delivered ourselves of the result of our perquisitions for the benefit of our weekly contemporary, we close our observations, leaving it to him to pin as much or as little of faith as he may please, upon the accuracy of the *law*, as stated by us.—*Hurkaru, August* 22.

It is even as we had anticipated. The *Englishman* has not one single argument to advance in support of his view of the copyright piracy question. The whole of his article in yesterday's paper is a mere reiteration of the charge of inconsistency against us, without the slightest notice of our complete refutation of the charge in Saturday's paper. He labours to confound the re-print of extracts from newspapers and ephemeral pamphlets in our journal, with the pirating of standard works; but notwithstanding all his deliberate mis-statements of our arguments in our Saturday's article, the *Englishman* shows himself to be nothing more than his own "Jack Brag" himself all over, and like his precious prototype, is on this matter of copyright "most cæsawampously stump'd," he literally has not one word in the shape of argument to say for himself. We have only to say that we again deny the charge of inconsistency either in practice or in opinion; and not to go over the same ground again, we beg on this point to refer to our article of Saturday, which our friend the man of *fact* is too cunning to reprint as we challenged him to do.

As to our former exposition of the law of copyright, re-published by the *Englishman* from the *Hurkaru* of the 27th October, of 1836, we are still of the same opinion, that the acts of the 41st and 54th George 3d, *do not extend to this country*. We said so on the 27th of October last, we said so on Saturday, and we say so *still*, and what point of inconsistency our cotemporary means to establish against us by the re-publication of what he calls our exposition of the law of copyright in October last, we are at a loss to understand. The question then discussed by us was, whether "India was a part of the British dominions within the scope and meaning of the act" (the 54th George 4th c. 156). We thought it was not, and as we have above stated, we do not think the act applies to India—indeed, we know it does not. But *where* is any inconsistency? We also, in the October article, denied the right of *authors in perpetuity at common law!* so did we, on Saturday, so do we *now*. We shewed on the contrary, on the authority of Donaldson and Becket, and Beckford *v.* Wood; that the right of action at common law is a *limited* right; but still authors have at *common law*, pending the existence of the copyright by statute, a right of action against the piratical publisher of their works. And now we would ask, where is the *inconsistency* which *sickens* our squeamish cotemporary? But, we will observe, that even if we did happen to be mistaken on the law in October, there is no reason why we should not adopt a better legal opinion in the following August. It happens, however, as we have above shewn, that we are not inconsistent; and this charge, like all its predecessors made against us in the *Englishman*, falls to the ground. Cheap publications are a grand engine of civilization: this we said in October last, and this we uphold *now*, but we never said or thought that the pirate was entitled to the profit on them. On the contrary, the legitimate claimant ought to have the advantage arising from cheap publications; and now having answered the thoroughly dishonest, tricky and disgraceful article of the *Englishmen* of yesterday, we will offer a few words on the subject of the proposed piratical re-publication of Napier's Peninsular War. As an illustration of the difference *as to the amount* of injury worked by the pirates of what are called *books* in contradistinction to *trifles* and *ephemerals*.

Colonel Napier is, we believe, a soldier of fortune, one of a large family of very remarkable persons. We doubt if he has anything to subsist on but his half-pay and his literary labours, which no doubt bring him in something considerable, and we *think*, but have no time for reference to the last volume, or to the article in the last London and Westminster Review, which he published in his defence, that he has not sold the copyright of any, unless, perhaps, one 1st vol. Mr. Boone is his mere publisher—Murray having declined to purchase. His *immortal* Military History—the best thing of its kind since the days of Cæsar, is an annuity to him, his family and heirs for his life, and for 28 years even if he die sooner; and if Sergeant Talfourd's efforts succeed, will extend much further. The labour and expense of producing this admirable work, must be prodigious. The correspondence, the discussions, the reference to archieves, records, places, papers of all sorts at home and abroad—all these necessarily involve vast toil and expenditure of capital. The profits of each volume must be swallowed up in the debt of its production, or in the charges of producing the succeeding volume. It is on subsequent editions only that he can rely for the remuneration his talents, labour and virtues deserve. Each volume appears to cost him about two years' preparation to bring out. Such a work may well be styled national, as especially deserving of the most cordial support from military men, and particularly from the English Army, wherever [illegible]

For years and years to come, it must take the first place in every young officer's library. The demand is therefore sure and large, if somewhat slow in returning a profit to the enlightened and talented author, who must anxiously look, in this view, to the successful sale of subsequent editions.

Is this the *sort* of work which any generous soldier will aid in *pirating by contributing* his name *in subscription* to a surreptitious colonial "cheap re-print?" Is there one officer of the King's or Company's service, composing the army in India, who would deliberately sanction—who would willingly see his name and rank blazoned in a list of subscribers to such a purpose, which is no less than to snatch from a gallant brother soldier, of whom all must be proud, the hardly earned fruits of ten years' persevering toil in the noble work of spreading British military renown over the whole civilized world, and of treating the art of war in its highest perfection, not by precept alone, but by examples drawn from the most interesting period of British military history?

We confess we feel strongly the injury about to be done to this great and good man, and we do think an appeal to the good feelings of the army should not be without its effect in preventing so great and unjustifiable a wrong. — *Ibid.*

To the Editor of the Englishman.

Sir,—Having for some time past taken an interest in the international copyright question discussed in English and American periodicals, I have not been an indifferent observer of the pleasant little "flare up" between the *Hurkaru* and yourself. I had always believed you both to be of opinion that the copyright law did not extend to this country, and I distinctly remember that the *Hurkaru*, in the course of last year, rather warmly protested against the assumption of some writer or other that India was *within* the operation of the statute. Your brother, however, whose paper for the last twelve months has resembled a ship without a rudder, seems to have divested him of his old opinions, and essays to introduce some spic and span new "notions" which are the more ridiculous from their being quite opposed to his own practice. But let us examine the merits of his case a little.

It seems, that the *Hurkaru*, whatever he may formerly have thought, now considers the *offence* of re-publishing books, as nearly equal in atrocity to robbery; and the *Herald* (which issues from his press, and is condemned by the *Hurkaru* people) says in plain terms, that it is equivalent to forgery. "Every imitation" quoth the heavy *Herald*, "of A's poem, is as much a forgery as an imitation of his note of hand." Now, there is a difference, which it is rather singular should have escaped so acute a lawyer as him of the *Herald*, and that is, that the imitated note-of hand is worth nothing, and is passed with *intent to defraud* the taker; but the re-print is really worth the money it sells for. However, let us admit the *Hurkaru* and *Herald* to be correct; that forgery and robbery are the only proper terms for such a crime as the re-publication of English works; what a curious defence then is that of the *Hurkaru!* He has only done a little in the line, he says, of some of his reprints the copyright had expired, (not those of Sheridan Knowles' plays, I opine?) and, in general, profit was not his object. The loss in such an establishment as his was inconsiderable, but as to profit he did not think of it! If so, he is only in the position of the man who should adopt Cobbett's advice and scatter his forged Bank-of-England notes all over the country instead of passing them. He commits a forgery by his own acknowledgment, but it is an unprofitable one! What exalted morality! Let us analize it a little. Samuel Smith and Co. get nothing by the sale of the plays, but they make their money by the sale of the *Hurkaru*; it is, therefore, worth their while to oblige their friends by reprinting books required for their use, on which "the loss is of so little consequence." An indirect gain is obtained though "*the forgery*" is unprofitable. In seeking a stick to beat the *Englishman*, your contemporary has hit himself very hard on the head. It would have been much better to have asserted in plain terms, that no re-publications from the *Hurkaru* press are reprehensible, because, Samuel Smith and Co.'s motives were excellent. When they printed the Psalms of the Scottish Church, their motive was the aid of religion; when the publications were plays, their object was the rational amusement of their subscribers! To the pure all things are pure, but let profane hands beware! What is a virtue in Samuel Smith and Co. is robbery and forgery in Rushton.

But putting aside those personal arguments, I am ready to meet the *Hurkaru* on the strict legal question. Whatever may have been argued in the case of *Miller v. Taylor*, it has been determined by the courts that an author has no right beyond the limits fixed by statute. The whole question then is, whether the 41 *Geo. III* c. 107, extends to India or not; for, we suppose, it will not be contended, that either of the preceding statutes, 15 Geo. III, c. 53, or 8 Ann c. 19, did so, when it is notorious, that they did not even include Ireland. If the law of copyright extended to India, which has never been determined in the Supreme Court, then it is evident, that literary property does exist in this country, and is entitled to protection; and that its invasion is a punishable as well as a moral offence; but, if the *rights* of authors do not extend to this country, properly being the creature of law, it is not violated by any re-publication here, and the English author is no more deprived of his just advantages than he is by the French editions published by Galignani, which I have never heard of, as being a subject of complaint on the part of London book-sellers.

With regard to the injury to them, I must suppose it to be very trifling, or we should not find their principal agents in Calcutta, Messrs. Thacker and Co., also agents for Galignani and Co., selling amongst other works, those of such popular authors as Scott and Byron, the copyright of which is in full vigor.

With regard to Mr. Rushton's re-prints, it is just this; they may prevent the sale of a few expensive London copies of the same work, but unless the London book-sellers will publish cheap editions for the Indian market, the re-prints will do them no harm, and if they do it will not be attempted.

Yours, Mr. Editor,

HIT HIM HARD.

Englishman, August 22.]

A correspondent of the *Englishman*, HIT HIM HARD, who joins issue with us upon the law of copyright, says, amongst other things, that the statute of Anne cannot apply to this country *because it does not apply to Ireland* Meaning, we presume, that inasmuch as the act of union did not take place till 1801, an act granted in 1710, did not apply, and HIT HIM HARD is quite right as to Ireland, but singularly mistaken as to India. The correspondent of the *Englishman* might as well say, that the *statutes limitations* and the *statute of frauds*, &c., &c., do not extend to India, because they were passed before the year 1801. And if it be contended, that the statute of Anne is not of so general a nature as the two statutes abovementioned, we will by way of illustration cite a case decided in the Supreme Court in Calcutta, the case of Ebenezer Thompson *v.s* David Clark and others, in which an act of the 9th and 10th, *William the 3rd*, entitled "an act for determining differences by arbitration, was pleaded, and the plea *held good*. The English of which is that the judges recognized the act of the 9th and 10th, William the 3rd, as part of the statute law of England in force in this country, in common with the rest of the statute law (a few statutes peculiar to the English system of law excepted) which is extended to this country up to the year 1726. Now this statute as well as all the others were passed before the Irish Union Act, they are held to extend to this country, and so will the 8th of Anne, when the question arises, which will, we suppose, occur in the course of next term, or as soon the powers to sue Mr. Rushton shall have arrived in this country, supposing always that some informer does not bring an action against him on the statute of Anne for the penalties, which will be a more expeditious mode of bringing the matter to issue, and of getting the decision of the Judges.—*Harkaru, August* 23.

Sometimes we have seen a critic, with some noble volume before him, almost invulnerable in its perfection and beauty, standing, like Sindbad by the rok's egg, perplexed at finding no hole to creep in it.—*On Party Criticism.*

Ample provision has been made in England, to secure to the author and his heirs, for a number of years, the exclusive profit of his labours, but his privileges only extend to the Kingdom of Great Britain and Ireland, and islands thereto belonging, and by no means interfere with British colonies, or British possessions, elsewhere. This point being settled, has a colonist in any of these possessions, the right to reprint the work of such an author, for circulation, in that colony, or any other colony, to which the acts of Parliament do not extend? It is plain he has; and having such a right, is it just towards the author of a popular work, for such a person to reprint and publish, and pocket the emoluments arising from the sale in any colony, the author having himself neglected to supply his work to that colony, at the reasonable price; and having not only done that, but in some instances, empowered his publishers, to demand more for a single copy, in certain colonies than would cover the expence of transcribing it? It is just, and detracts nothing from the author's pocket, although it materially enhances his fame, and the justice of the thing being no ways doubted, and one colonist having often pursued the course successfully, is it fair on the part that colonist to impugn the conduct of another because he, taking advantage of the example of the first, and of the want of foresight also on the part of the first, publishes and reprints in the colony, for a trifle, a popular work, which sells dear, not only in England, but monstrously so in that colony? It is not fair on the part of the first colonist to do this, and he deserves a severe reprimand from the reading public of that colony, while on the other hand his antagonist, colonist the second, deserves, the thanks of that body, in so far as he has thrown the trade open to competition, and likewise runs a heavy risk, solely to oblige the said body. Thus stands the case between Mr. Samuel Smith and Mr. William Rushton of Calcutta, and being personally unacquainted with either, and caring for neither, only anxious to befriend the man who will give us cheap knowledge, whoever he is, we have ventured a few remarks on the subject.

When we came to India, (we use the *we* because it comes as naturally to us, as to Mr. Samuel Smith, Mr. *Courier*, or Mr. *Englishman*,) we asked in Calcutta, where we could find a copy of a tragedy, recently published in England. Being rather dull of hearing, we did not altogether comprehend who, or what the *Harkaru* was, when we were directed to go there; for, said our informant, the *Harkaru* reprints and republishes most of the famous plays and tragedies, and he sells them much cheaper than we can do, as he get them from England, and is unhandsome enough, to expose in his

puffs-editorial, our high price and his own low price, leaving the gulled ones to study subtraction at leisure. Now, I could not make out who the deuce *Hurkaru* was; for I am ignorant of the languages spoken, so I took him first to be a Native god, endowed with supernatural abilities, whose conceptions being so expanded and faculties so wonderful, could think exactly what the author in England thought, write what he wrote, and publish, what he published, simultaneously. So summoning all my '*salams*' and *sahibs*,' and ruminating on this great angel who was soon to pocket my rupees, I halted, or rather an unseemly thing in which I was driven halted, opposite to the door of the temple in Hare-street, (I am not long in India, and the temple at my visit was a little out of repair,) and entered bowing. There was an apparent disorder observable in the mansion, which I immediately attributed to Hindoo slothfulness, but by and bye, instead of coming into the presence of some golden image, I stood in a retail bookseller's shop, and I was in the presence of the *Hurkaru*. So all at once, my doubts were dispelled, and I forsook the holy demeanour with which I had entered, and breathed freely. I asked for the tragedy, and behold! not one tragedy, but a hundred others, and popular works all reprinted and re-published in Calcutta, from English editions, by Samuel Smith and Co., greeted my admiring eyes. And now then in the face of all these things, and as Robbie Burns says,

" Facts are things that winna ding,'

how does the *Hurkaru*, my imaginary Native god, of supernatural, mental, physical, and mechanical endowments, raise such a hubbub, and "insinuate" so much against this man, William Rushton, who, had he done nothing else than publish the Pickwick Papers, deserved our thanks, and the thanks of all jolly, well-contented souls, though as to jollity and contentment we do confess ourselves, we have not so much as we sometimes think we could require.

Surely there is no petty jealousy lurking in any of *Hurkaru's* corners; there is no fear that Rushton will succeed to the prejudice of Smith; no, we won't believe it; the Editor and Proprietor of such a paper as the *Hurkaru*, should be above all these mercenary imaginings, and treat such attempts upon his monopoly with contempt!

If Mr. Rushton has trod on Mr. Smith's sore toe, and if brother Jonathan should be taken aback, in consequence, in his literary piracies, why he (Rushton) has done a good thing; he has undermined and literally blown up their literary monopoly and frankly assured us, that he will not permit the said monopoly in future, and in evidence has given earnest of his intentions, in his re-prints which have already appeared, equally as well got up, as either the *Hurkaru* or American reprints. Now, if Mr. Smith won't take the trade out of the American's hands altogether, we don't see the fun of his quarrelling with one who will, and satisfy us much better than the Americans do. One Englishman has certainly a better right to the advantage of another Englishman's labours, when that Englishman will not reap them himself, than aliens and foreigners.

Besides, the American works are most miserably printed; so inaccurate in fact, that it is painful to peruse many of them, and vast numbers are incomplete. It often happens too, that sometimes we receive the 1st volumes of works, and wait for two or three years for the remaining volumes, which is very inconvenient; at least I am told so by individuals who ought to know.

But, while Mr. Rushton publishes the works of men, who have been well paid for their writing in England, such as the Pickwick man and Jack Brag, Mr. Smith takes the advantage of re-printing the works of men who have not been paid, of men who are never rewarded, and who have long suffered at home from want of a law to protect them, I mean those authors who have added infinite lustre of late to the Drama, and who, while they receive applause, go with empty pockets, while the common place novelist and tale concoctors or contractors for the thousand and one periodicals and publishers in England, are well paid for their lucubrations. Thus, if Mr. Smith does not add "insult to injury" he heaps injury upon injury on the unbefriended heads of our modern writers for the stage.

A little more, and then I have done. When Mr. Smith or any other Mr. Editor in India can find original matter sufficiently interesting and entertaining, he, or they, may then turn their batteries on the poor wight, who prefers home-made literature, and honorably supplies it to those, who eagerly wish for it at a cheap rate, but not till then; neither should the Editor of a Colonial Paper, who must be well known in society, advocate so strenuously and yet so slyly the cause of—— *Number one.*

Englishman, August 23.] ?

"It is even as we had anticipated"—we thank thee, *Hurk.* for teaching us the phrase.—"It is even as we anticipated;"—our contemporary dare not re-publish the *expose* of this flagrant vacillation contained in our papers of Monday and Friday. It pleaseth him, indeed, to call our articles "thoroughly dishonest, trickey and disgraceful," but, with characteristic inconsistency, he abstains from exhibiting them to his readers. We are flattered by this unconscious tribute to the worthlessness of his epithets, and thanking him for his "better legal opinion in August" than his "law in

October,"* we leave the public to decide by their subscriptions to Mr. Rushton's cheap reprints or their refusal to countenance him, whether there is or is not reason in the view we have taken of the copyright question. 'We have too high an opinion of the *morale* of the members of the Anglo-Indian community generally to suppose that they will place themselves by hundreds in the position of receivers of stolen goods; the inevitable result of their assent to the doctrines of the *Hurkaru*,' and too much respect for their judgment to suppose they will accept of the guidance of a journalist, who, we have satisfactorily shewn, is utterly incapable of guiding himself. *In reste*, we shall adhere to the opinion we have already expressed touching the rights of authors and publishers, in the conviction that the *Hurkaru* will sooner or later entirely concur with us. In the mean time, we expect to find him enlarging occasionally upon his present doctrines, and steadily setting his face against Monteith's manufacture of boots after Hoby's pattern, and Guest's construction of coats from a model by Nugee. The "piracy in principle is the same."—*Ibid.*

The assertion cotained in the *Englishman* alluded to by our correspondent PAUL, is merely an example of the usual practice of that journalist; when he is hard pushed, and finds the argument against him, he then has recourse to downright falsehood. But our correspondent should make some allowance for the Editors of both *Englishman* and *Observer*; a detected thief, as a matter of course, seeks to criminate others, and to serve his purpose must have recourse to lies. We do not claim the merit of generosity, in having commended Mr. Rushton's undertaking to republish the Pickwick Papers; it could in no manner affect us; but as we did commend it, and as our readers find that in return we only get abuse, they will be reminded, we doubt not, of the repartee of Voltaire, who having passed some handsome compliments upon Haller, the party to whom he was speaking told him, that they were astonished to hear him speak so well of Haller, for that *he* spoke very ill of Voltaire. "Well, well," replied Voltaire, "I dare say we are both of us very much mistaken."—*Hurkaru, August 24.*

To the Editor of the Bengal Hurkaru.

SIR,—The *Englishman* of to-day says broadly and distinctly, that all that you have said touching the law of copyright, and all your arguments against the dishonesty of stealing copyrights, originates in the simple circumstance that you are jealous of Mr. Rushton's success in the piracy line, and that you want to monopolize this species of piracy. Is it true? Are you or are you not Mr. Rushton's rival in the trade of re-publishing valuable historical works, and underselling the author, or his assignee? If you are Mr. Rushton's rival, I must confess you are rather a more generous one than is consistent with prudence, for you certainly did approve of Mr. Rushton's re-publication of the Pickwick Papers.

Yours obediently,

August 23. PAUL.

[*Ibid.*

We borrow the following passage from the *Hurkaru*: —

"Now this statute as well as all the others were passed before the Irish Union Act; they are held to extend to this country, and so will the 8th of Anne, when the question arises, *which will, we suppose, occur in the course of the next term or as soon as the powers to sue Mr. Rushton shall have arrived in this country*, supposing always that some informer does not bring an action against *him on the statute of Anne for the penalties*, which will be a more expeditious mode of bringing the matter to issue, and of getting the decision of the Judges.

Now if this to be interpreted into a threat upon the part of the *Hurkaru* people to proceed against Mr. Rushton for his attempt to supply Indian residents with what the London book-sellers *will not* send out, we would recommend a little ex edition, for by the following clause in the statute of Anne,* the time for bringing the action is somewhat limited. We fear even the overland mail will not help our friends much:-

"Provided nevertheless, that all actions, suits bills, indictments, or informations for any offence that shall be committed against this act, shall be brought, sued, and commenced within three months next after such offence committed, or else the same shall be void and of non effect."

Of course our very learned contemporary will readily perceive the intention of the legislature to extend the provisions of the Act of Parliament to the colonies!

Scott's *Compendium* has an article upon the re-print question, which we have extracted for the purpose of appending to it an anecdote (for the truth of which we are ready to vouch) which illustrates the indifference of the

* The manner in which the *Hurkaru* has treated the whole question, flying from common sense to the law, reminds us of a passage in Burns, which is worth the quoting:

"He clenched his pamphlets in his fist,
He quoted and he hinted,
Till in a declamation mist
His argument he tint it:
He gaped for't, he graped for't,
He fand it was awa' man;
But when his common sense came back
He reason'd out a' law man."

* Statute on the subject which we believe is in force in this country.

London publishers to the wants of the Indian community. About 5 years ago, a gentleman who had passed some years in India and had felt in common with numerous others, the severe pressure of the Indian book-sellers' bills, called upon Messrs. Saunders and Ottley, Effingham Wilson, and others, and suggested to them the advantage of their sending out books to India *upon their own account*, and authorising their sale there at the London retail price, instead of selling them at the trade price to the small number of London book-sellers, who profess to do business for India, but who, in reality, keep her but indifferently supplied, and charge an exorbitant advance upon the original cost. It was computed that if a book, the trade price of which was *fourteen shillings*, could be sold in India for *twenty shillings* instead of *twenty rupees*, the original publisher would find his account in it even after paying all expences, on account of freight, &c. and would probably get very extensive orders from the British community. It was long before the publishers named above could be induced to believe that there was a large reading public in India, or that that body consisted of persons of intelligence and education. At length, however, they were prevailed upon to make the experiment suggested, and the person who had recommended the matter to their consideration, left them in the full persuasion that he had laid the foundation of a measure which would prove of inestimable utility to the reading community in India. What, then, was his surprise, to find on his arrival in India, a few months subsequently, that these publishers had dispatched cases, containing not the popular works then in demand, but all the wretched trash, for which *they could find no purchasers in London.*

If one fact be worth a thousand arguments, we have here a proof of the disregard entertained for the interest and character of the Indian public, which may safely be quoted in justification of "cheap re-prints on a grand scale."—*Englishman, August* 24.

To the Editor of the Englishman.

Sir,—The editor of the *Hurkaru* tells me, that I am wrong as to the statute 8 Anne, and that it does extend to this country. But if so; there can be no doubt in that case, that a *qui tam* may be tried in the Supreme Court; but instead of selecting Mr. Rushton, as your contemporary commends, I think the informer ought to begin with the oldest offenders, Messrs. S. Smith and Co. The editor of the *Hurkaru* does not say any thing about the Psalms. I will ask him whether Messrs. S. Smith and Co., after selling as many as were wanted for Calcutta, had not a number of copies lying on their shelves, as waste papes for some years, and whether the agents of the Scottish Kirk in Bombay gave them less than *five hundred sicca rupees* for those remaining copies? If so, what becomes of motives? Are they not the usual ones, which move tradesmen,—considerations of profit? and in what do they differ from Mr. Rushton, but in having found out the impropriety of their neighbour's conduct? Does this

Englishman, August 24.] HIT HIM HARD.

☞ The plain answer to this silly effusion is, that the Psalms and Hymns, as authorized for the Kirk of Scotland, were printed by Messrs. Greenway and Co., in 1815, for the Calcutta congregation; the unsold copies were purchased a few years ago by order of the Supreme Government (no others being procurable in India) for the Scotch Kirk at Bombay, and a new edition has subsequently been printed at the Orphan Press. What of all this? Where is the similarity between these transactions and Mr. Rushton's piracies What had Messrs. S. S. and Co. to say to the printing or publishing of the Psalms? and if they had, who was injured thereby—in whom does the copyright of the Psalms lie? Where is the parrallel between re-printing, buying or selling the Scottish P——s, of which no copies were procurable in India, and no copyright in existence; and the re-printing the popular *new* novels of *Jack Brag, Rory O' Moore*, and Colonel Napier's splendid historical work on the *Peninsular War*, without the permission of either authors or Publishers of those works, of which there are abundance of copies for sale in Calcutta! To what petty shifts and subterfuges do the *Englishman* and *Observer* in an descend to make it appear that others are as bad as themselves! As if the acts of other parties 22 years ago, could palliate the barefaced piracies of Mr. Rushton at the present day! S. S. AND Co.

Hurkaru, August 25.]

We are about, we fear, to bore our readers, but we hope for the last time, with a few last words on the Copyright question. The *Englishman* has started the difficulty of recovering the penalties given by the statute of the 8 th of Queen Anne against the literary pirates. The action, information, indictment, &c. must be brought within three months after the offence committed. We are fully prepared to admit that great difficulties might occur in recovering under this statute, the penalties by way of information or action; and if the *Englishman* is content to allow his client (we must, we suppose, so call Mr. Rushton) to take his chance of getting rid of old father antic law, on this ground, why we have nothing to say to this Old Baily morality—"the statute cannot touch me, and no one will take the trouble of bringing an action, so I shall button up my morality in my breeches' pocket, and publish away like bricks." Supposing such to be the doctrine in Vansittart Row, we beg to make the "Gemmen" our very respectful bow, and to leave them to their own piratical devices, suggesting merely by way of a friendly hint at parting, that they had better keep a sharp eye on the statute of the 54th Geo. 3rd c. 126. We are told that our law as to this statute's extension to India is doubtful; be that as it may, if it *should* be found to extend here, the penalties are much more easy of recovery than under the Statute of Anne; the fine per sheet is *three pence* instead of one penny, and the time for laying the informa-

tion, or bringing the action by the informer, is extended from 3 to 12 months. And now that we have done with the law, let us have one word at parting with our cotemporary and his less than courteous correspondents. We have all along attempted to argue this question *upon principle*; we have avoided personalities, have merely stated our views as to our notion of the morality and justice of the custom of re-prints in this country; and we have with all due modesty, we hope, stated our notions on the law of the question How have our endeavours to throw a light upon a doubtful question been met? By deliberate insult; the old charge of inconsistency; and by the assertion, that in pirating works wholesale, and on *a grand scale*, Mr. Rushton had the full benefit arising out of the sanction of our example not in one but in fifty instances We have answered every instance adduced but that of the Psalms, brought forward by the *Englishman's* correspondent HIT HIM HARD; we now give our explanation of that transaction. It is quite true that Messrs. S. S. and Co. did sell about one hundred copies of the Psalms of David, and we believe for *about five hundred rupees* as stated in the *Englishman*. But the book in question was never printed or published by *them!* Upon reference to the title page, it will be found that the book was printed by *Greenway and Co., Hurkaru Press*, 1815 And upon succeeding to Messrs. Greenway and Co, Messrs. S. S. and Co. found these copies of the Psalms among the rest of the stock. The agents for the Scottish Kirk at Bombay bought rather better than one hundred copies, which we believe are almost the only ones Messrs. S. S. and Co. ever sold Messrs. S. S. and Co. did not print or publish the said Book of Psalms. Moreover, we shall feel obliged to HIT HIM HARD, or to any one else, to inform us as to the persons in *whom* the copyright of the Psalms of David rests, or did rest, and whether or not the said copyright has not long since expired, supposing it ever to have existed. According to the title page before us, these "Psalms of David in metre," are "allowed by the authority of the General Assembly of the Kirk of Scotland, and appointed to be sung in congregations and families." From which we should suppose that no copyright existed in this work, and consequently that no injury to the rights of individuals was occasioned by the re-print.

In addition to which we would observe, that this question had in those days undergone but little or no discussion, and, that if there was any sin committed, S. S. and Co. did not *sin with their eyes wide open*, or "*with their morality buttoned up in their breeches' pocket;*" and that, in one word, they are in this, as in all other respects, in a very different position from that occupied by the publisher or the *printer, on a grand scale*, of new novels and standard works, of which copies are obtainable at all the book-sellers. During the progress of this discussion, we have been taxed with jealousy of *a rival*, and our arguments on the question, have with the gentlemanly feeling and liberality which distinguish the *Englishman*, been attributed entirely to this motive. We have not thought it worth while to reply to such a charge or we might have informed such of our readers as care to learn the fact, that we have long since abandoned all general printers' business, and have therefore no more interest *individually*, in the fate of Mr. Rushton's speculation, than the man in the moon; and this fact, we believe, was perfectly well known to the good folks in Vansittart Row. But *some people* cannot comprehend the notion that it is possible to argue and contend for a principle, without a stimulus in the shape of the gratification of some interested motive or malevolent feeling. "Fie! fie! on't," as Hamlet says. Such fellows ought to be sent to sup with Polonius.—*Hurkaru, August* 25.

With the exception of the recent forgiversation of Samuel Smith and Co., perhaps the coolest thing of the season has been perpetrated by Dr. Corbyn. In his last number of the *Indian Review* he takes an opportunity of calling the attention of Government and publishers to some remarks on copyright, which have recently appeared in a London periodical. These he passes off as his own, dispensing with the inverted commas usually prefixed to an article quoted from another publication, and inserting the remarks without any acknowledgment of the source whence they are derived. There they are, apparently highly creditable to the worthy editor's research; but the best of it is that he has appended three lines of his own, proposing to impose a tax on re-prints, in order to protect literary property! —*Englishman, August* 25.

The other day we charged the *Hurkaru* with the utterance of a deliberate falsehood, in saying that the *Englishman* acted under orders, and we challenged our contemporary to make good his statement. The *Hurkaru* was silent—for the very sufficient reason that he had no "cause" to "shew" Our contemporary now charges us with uttering an untruth in ascribing to him jealousy of Mr. Rushton's success as a re-printer of popular English works We *may* have conjectured erroneously: it is just possible that our brother's championship of authors and publishers *may* have originated in a pure and unaffected zeal for the interests of grasping monopolists. But how are we to be assured of the fact? The *Hurkaru* disclaims a personal bias—but the *Hurkaru* has already shewn that he is not to be believed. We cannot place any reliance on statements which are solely referrible to the writer's knowledge of his own springs of action, when we find him incapable of establishing the truth of assertions which ought to be susceptible of the clearest proof before they are deliberately advanced.—*Ibid.*

To the Editor of the Englishman.

Sir,—The *Hurkaru* is rather an unwilling witness, but I have got some evidence out of him. It appears that Messrs. S. Smith and Co.

were successors to Greenway and Co., having purchased their business, stock in trade, &c. some twenty years ago. Amongst the articles purchased were sundry copies of the Psalms of the Kirk of Scotland, which Messrs. S. Smith and Co. have *lately* sold to the Bombay congregation for about five hundred rupees. Messrs. S. Smith and Co. plead not guilty of piracy, but they confess to making money by the publication, which is all I want to know. Five hundred rupees is not so bad at any time! But, say these gentlemen, they know not of any copyright. I believe they will find that the copyright is in the Scottish Universities, and that no permission from them was asked or obtained. Messrs. S. Smith and Co. say that *no other copies were procurable* in India that is exactly what Mr. Rushton says, but the *Hurkaru* does not allow it to be a defence for him. As to Captain Marryat, I conclude, he has a copyright, yet the whole of *Jacob Faithful* has been re-published in the *Literary Gazette, not twenty years* ago, and without permission. This, no doubt, was done without any other motive than public convenience, and cannot be classed with the piracies of Mr. Rushton.

I hear that the book-sellers, viz Messrs. Thacker, Ostell, &c. are about to petition Government against the re-prints. I would respectfully hint that it would be well to publish the petition for general information before legislating upon it, in order to give time for those who do not want to pay more for books than they do at present, to state their objections, if they should have any valid ones, as I hear the prohibition of foreign books is also to be asked for. I will conclude in Messrs. S. Smith and Co.'s own words, "*To what petty shifts and subterfuges do*" *the* Hare-street firm "*descend to make it appear that others are*" worse than themselves. Does this

HIT THEM HARD ?"

Englishman, August 26.]

The temper of our remark last week when noticing the *Hurkaru's* observations on re-prints did not prevent their being denounced in his Sunday paper as "too contemptible," and quite unworthy of notice; but notwithstanding their insignificance our very consistent contemporary has bestowed no less than two columns of Tuesday's *Hurkaru* on an attempt to refute them. The writer however has been so completely answered by the *Englishman* that we fear we should tire the patience of our readers were we again to recur to his maudlin personalities. Whatever difference of opinion there may be as to the moral offence of re-publishing in this country, on one point all are agreed, that Samuel Smith and Co. of all mankind are the last who should have denounced the practice. An hypocritical jade preaching chastity and living by the constant violation of it, does not present a spectacle more truly disgusting than he of Hare-Street, upholding the exclusive claims of English publishers in this country.

The *Courier* who has held aloof from the discussion during the week, and whose remarks are well entitled to consideration, considers that there is no similarity between re-printing articles from newspapers and reviews and re-printing entire volumes." We disagree with our contemporary. There is a similarity, and fully to the extent which it has been asserted. If the law of copyright extends to this country, Samuel Smith and Co., who published "*Jacob Faithfull* in the *Bengal Herald*," as it appeared in the *Metropolitan*," might have been restrained by an injunction, as might Mr. Ruston who is now re-publishing in the *Observer*, *Oliver Twist* from *Bently's Miscellany*. If we are not much in error our contemporary will find in a late number of his own journal, a report of an application made at home to restrain the proprietors of *Chambers's Journal* from re-publishing a report of the proceedings of the British Literary and Scientific Association at Bristol, which originally appeared in the *Athenæum*, and which has been re-published here entire in Dr. Corbyn's *India Review*.

The remainder of our evening contemporary' observations are extremely judicious :—

"But Mr. Ruston has a better excuse than either of these, a two-fold one—in the admitted uncertainty how far the privileges of copyright should extend both as to time and country, coupled with the fact that the Indian Government has always sanctioned the importation of foreign editions of all books without exception, and did this deliberately when the new Tariff was drawn up last year. It would then be an anomaly to punish your own people for carrying on a trade which you *encourage* in a foreigner. The prevailing opinion certainly is, that the copyright privilege should have much more extension than it now has—that it should be an international one. If that principle be adopted, the colonies will of course be included, and those who would imitate Mr. Rushton's speculation will then be obliged to make their bargain first with the owner of the copyright."

We merely add, that the Statutes 8 Anne, cap 19, and 54th George III. cap 156, are directed against, printers book-sellers, and others "who shall print, re-print, or *import* any such books, &c. &c.

A few words more, and we take leave of the matter. The Chief Justice and Sir Benjamin Malkin are Directors of the School Book Society. Both, it is well known, take a warm interest and active part in the operations of the institution. The School Book Society have been for years, and are this-day

engaged in re-printing school and other books the copyrights of which are still in existence in England.—*Oriental Observer, August 26.*

An equally firm contest has been carried on duridg the past week, on a subject upon which we made a few remarks in our last number, that is to say, the law of copyright. A writer in the *Englishman* says touching our observation on this subject, that we were ignorant of the difference between a forgery of a note-of-hand the re-print of a literary work, which, he says, is the important one that a re-print is valuable, the forged note is not. The only real difference consists in the parties defrauded. In the case of a re-print, it is the owner of the copyright: in the case of the forged note-of-hand, it is the holder that is defrauded; but the fraud is of the same *genus*, though it operates on different parties. But in the conduct of the argument in this case, as in that of the opium question, true sound, and first principles being laid aside by the advocates of gambling, and piracy, the most extravagant absurdities have been advanced, to bolster up a marvellous bad case. The learned *Sequitur* of the *Englishman* asserts, that it is a justifiable act now, to publish a reprint of Napier's Peninsular War, because divers copies of an edition of the Psalms of David, published 22 years ago by Greenway and Company, were sold at the *Hurkaru* Press. In aid of this nonsensical position, a correspondent of the *Englishman* broadly asserts, that the right of printing the Psalms of David, resides in the Crown, and in the Crown only We suppose this a kind of right divine which accrues to the crown, because the author of the Psalms was King David, a crowned head; though just as good a reason might be found in the fact that David beat out of Goliath's crown all the little brains that were in it We commend to the perusal of this learned advocate of the copyright of the crown, the celebrated speech of Lord Erskine, in the famous case of the Almanacks, in which this doctrine of crown-copy-right is traced defective and exposed. The learned advocate above mentioned thus describes the origin of the alleged exclusive right of the crown to print Almanacks:—

"On the first introduction of printing, it was considered, as well in England as in other countries, to be a matter of state. The quick and extensive circulation of sentiments and opinions, which that invaluable art introduced, could not but all under the gripe of governments, whose principal strength was built upon the ignorance of the people who were to submit to them. The press was therefore, wholly under the coercion of the crown, and *all printing*, not only *public* books containing ordinances, religious or civil, but *every species of publication whatsoever*, was regulated by the King's proclamations, prohibitions, charters of privilege, and, finally, by the decrees of the Star-chamber."

This privilege, Mr. Erskine observes, was done away with at the revolution, and he thus proceeds:—

"When, therefore, the Stationer's Company, claiming the exclusive right of printing almanacks under a charter of King James the First, applied to the Court of Exchequer for an injunction against the petitioner at your bar, the question submitted by the Barons to the learned Judges of the Common Pleas, namely, "WHETHER THE CROWN COULD GRANT SUCH EXCLUSIVE RIGHT," was neither more nor less than this question—*Whether Almanacks were such public ordinances, such matters of state, as belonged to the King by his prerogative, so as to enable him to communicate an exclusive right of printing them to a grantee of the crown?* For the press being thrown open by the expiration of the licensing acts, nothing could remain exclusively to such grantees, but the printing of such books, as upon solid constitutional grounds belonged to the superintendence of the crown as matters of authority and state.

"The question, so submitted, was twice solemnly argued in the Court of Common Pleas, when the Judges unanimously certified, *that the crown had no such power*, and their determination, as evidently appears from the arguments of the counsel, which the Chief Justice recognised with the strongest marks of approbation, was plainly founded on this,—that Almanacks had no resemblance to those public acts religious or civil, which, on principle, fall under the superintendence of the crown."

It was alleged by the advocates on the opposite side, that the Almanack was part of the prayer book, and therefore that it could only be published by the king's authority as head of the Church. The same argument may, no doubt, be applied to the re-printing the Psalms of David, a version of them being contained in the prayer book also; but it would be as absurd in the one case as the other to say, that it was not competent to any man to compile a version of the Psalms of King David, and publish it because the Book of Common Prayer already contained a version which is published *cum privilego*. A private version of these compositions, may not be admissible to the service of the Church, but that every man has a right to compose, print and publish such private version, is plain to common sense, and if there be a statute prohibiting such printing, it is as contrary to common right, and common sense, as the decision of the House of Lords, that copyright did not exist at Common Law, *because* the art of printing was not introduced into England till the year 1471, a more absurd *non-sequitur* than which is not to be found in any book that ever was written, and copies of which, have been taken wether by hand or mechanical writing. The *Englishman* must have been at a despetate loss for an argument, when he raked up this sale by the *Hurkaru Press*, some 15 or 20 years ago, of some copies of the Psalms of King David. He might with equal reason, accuse Mr. Linton of singing in a piece the composition of Handel or Mozart. The matter, in a word, is purely one of pounds, shillings and pence. If King David or his descendents, or the General Assembly of Scotland, did sustain an actual loss by the sale of the Calcutta impression of the Psalms at the *Hurkaru Press*, no doubt the *Hurkaru Press* ought to make it good. But whilst there are copies of Jack Brag, and Napier's Peninsular War in Calcutta for sale, for the benefit of the owner of the copyright,

the sale of every copy by another printer, is a fraud upon such owner of the copyright; and of this there cannot be a doubt, or diversity of opinion.—*Herald, August* 27.

The *Courier* of Friday evening has some observations on the subject of copyrights. He says, that we can cite no law *practically* applicable to the case. This is an error, we have, on the authority of the case of *Beckford* v. *Hood*, stated, that the person in whom the copyright vests, has, during the existence of the copyright, a right of action against the pirate at common law, and we suppose such action can be brought in the Supreme Court against any person subject to the jurisdiction, inasmuch as the common law of England obtains here; and the operation of the law would, we take it, be *practical* enough. Colonel Napier, for instance, has nothing to do but to send the editor of the *Courier* a power to sue Mr. Rushton for pirating his works. No difficulty would exist as to proof of the work being that of the Colonel, and he would recover damages, in proportion to the injury done him by the sale of the pirated edition, and as to the mode of estimating the amount of damages, we see nothing to prevent the judge's awarding to the plaintiff the full price of the work in England for every pirated copy sold here.

The twofold excuse which the *Courier* makes for Mr. Rushton, appears to us no excuse at All. As to the "admitted uncertainty as to how far the privileges of copyright should extend as to the time and country," that is an old story, and, as Sganarelle says, it might have been so once, *mais nous avons changé tout cela*. America, France, England, and we believe Prussia, protect the right of foreign authors in their works, against literary pirates:—see the report of the American Committee, drawn up by Mr. Clay, and published in this journal on the 12th of August.

"Acting, then, on the principles of prudence and caution, by which the committee have thought it best to be governed, the bill which the committee intend proposing, provides that the protection which it secures shall extend to those works only which shall be published after its passing. It is also limited to the subjects of Great Britain and France: *among other reasons, because the committee have information that, by their laws, American authors can obtain their protection for their productions;* but they have no information that such is the case in any other foreign country. *But, in principle, the committee perceive no objection to considering the republic of letters as one great community, and adopting a system of protection for literary property which should be common to all parts of it.* The bill also provides that an American edition of the foreign work, for which an American copyright has been obtained, shall be published within reasonable time."

And see also the speech of Mr. Serjeant Talfourd, and that of Mr. Spring Rice, in the House of Commons, which we publish elsewhere, for the edification of Mr. Rushton and his scribbling supporters; and which ought, if any thing could work that effect, make them heartily ashamed of themselves.

As to the assertion of the *Courier*, that the Indian Government sanctions "the importation of foreign editions of all books without exception by the New Tariff;" we beg to observe, that such sanction is not to be found in the Tariff.

By the Tariff, "books printed in the United Kingdom, or in any British possession," when imported on English bottoms, are free; when on foreign bottoms they pay a duty of 3 per cent."

We are unable to comprehend, how Mr. Rushton can be held to be in the same position in this matter of piracy, as a foreigner.

"It would, (says the *Courier*) be an anomaly to punish your own people for carrying on a trade which you encourage in a foreigner." It would be no *anomaly* at all, *we think*, supposing Government did encourage the foreigner. The Indian Government has no control over the printers of English books in America. The American printer, in re-printing an English work, did not *violate* the law of his country, as it *then* stood; and American reprints of English works *are not piracies* in fact, although the effect of their sale in Calcutta works an injury to the interest of the English author. But the publication of a re-print of an English work in America, and the sale of the same, here by an American, appears to us to be a very different proceeding from the piratical acts of Mr. Rushton. An American printer has *or had* a right to re-print an English work and a right to send it for sale to this Colony, and until the recognition of the rights of authors became a matter of international law, it would have been a harsh thing on the part of this Government to interfere by a prohibition. But a Government is bound to interfere to protect the rights of one set of subjects, from being injured by the wrongful and illegal acts of *evil doers*, also its subjects; and we take it, that where British subjects are concerned, there is a sort of *privity* between this Government and the Government at home. Mr. Rushton enjoys the protection of the British Law, and he ought, therefore, to be punished if he violate it. Now, to publish and sell a reprint of an English work in England is a piracy. The whole transaction is illegal from begining to end. The rights of British subjects are violated by it; and this Government would hardly sanction by its Tariff, the sale here of books illegally printed at home. But the rights of British subjects are equally invaded by the sale of pirated editions here, *whether printed* in *England* or in *Calcutta*, and we submit therefore that a Government

constituted by, and emanating from, the English Government, whose every act is, subject to revision by the British Government, would be guilty of *no anomaly*, should it punish its own subjects who are *evil doers*, when at the same time it does not interfere with the subjects of another state, who are committing no illegal act; in one word, the pirating of an English work by Mr. Rushton is not analogous with the re-print of an English work in America.

We may as well observe, in conclusion, that in the string of letters published on this subject in Saturday's *Englishman*, there are two or three assertions which are incorrect. The *Hurkaru* is said to flounder in the mud of uncertainty by one writer, who assumes that we have vacillated in opinion, on the subject of the extension of the 54th Geo. 3rd to this country; we merely said *we were told our law upon that point was doubtful*, not that we had changed our opinion.—*Hurkaru, August 29.*

THE LATE DR. MARSHMAN.

The Reverend Dr. Marshman was born of humble parentage in the village of Westbury Leigh, in Wiltshire, on the 20th of April, 1768, where the cottage in which he first drew breath may yet be seen. Of his family little is known, except that they traced their descent from an officer in the Army of Cromwell; one of that band, who at the restoration, relinquished for conscience-sake all views of worldly aggrandisement, and retired into the country to support themselves by their own industry.

His father, a man of strong mind, undaunted intrepidity, and inflexible integrity, passed the early part of his life at sea; and was engaged in the *Hind* sloop-of-war, commanded by Capt. Bond, at the capture of Quebec; the action in which the gallant Wolff fell; but, shortly after, he returned to England, determining to settle among the humble and honest manufacturies of his native country, and taking up his residence in Westbury Leigh, he married and turned his attention to the weaving trade. Hence he was subsequently unable to afford his son any education, beyond what his native village supplied, except in his own Christian principles; and he lived to see the principles he had instilled, ripen into the most enlarged and active benevolence. Dr. Marshman from a very early age exhibited so extraordinary a thirst for knowledge, as to convince his family and friends, that he was destined for something higher than the loom. At the age of eight, he first began a course of desultory reading; snatching every moment from labour and play to devote to his books. He has assured the writer of this memorial, that between the age of ten and eighteen he had devoured the contents of more than five hundred volumes. Thus at an early period he was enabled to lay in a vast of knowledge, which improved by subsequent study, made his conversation so rich and instructive. After reading through all the volumes which so humble a village could furnish, he extended his researches to a greater distance, and often travelled a dozen miles out and home to borrow a book. Having no one to direct his pursuits, he read promiscuously whatever fell in his way, with the utmost avidity. But it was to biography, and more particularly to history, that the bent of his mind was directed. So much so, indeed, that when his parents on the death of an elder brother endeavoured to direct his thoughts to the joys of Heaven, he declared that he felt no disinclination to contemplate them, provided there was room to believe that the reading of history would not be incompatible with the pursuits of that blessed region. Among the early incidents of his life, it was long remembered in his native village, that a neighbouring clergyman passing with a friend through Westbury, while he was playing at marbles, put his reading and memory to the test, by a long series of questions upon the more ancient history of England, and declared his astonishment at the correct replies which he received to every inquiry. At the age of twelve, the clergyman of his own parish meeting him one day with a book in his pocket, too large for it to conceal, asked him several questions, and among the rest, the names of the Kings of Israel from the beginning to the Babylonish captivity, and being struck with the accuracy of his replies, desired him to call at his house in future for any book he might wish to read.

On his reaching the house the clergyman begged he would tell him, whom he thought the best preacher; the Dissenting Minister of the town or himself. With the certainty on the one hand, that the first name excelled, and the fear on the other of losing the promised treat, he hesitated for a moment—but, determining not to purchase even *this* at the expense of truth, he begged to be allowed to refer him to the answer of Melville, who when asked by Queen Elizabeth whether she or his Royal Mistress of Scotland excelled in beauty, replied that each was handsomest in her own Kingdom, and desired him to accept that as his answer. At the age of fifteen his father sent him up to London to Mr. Cator, the Bookseller in the Strand, in the hope that some path would open for his obtaining a livelihood in a sphere more congenial with his tastes, than a weaver's cottage. Here he was employed on errands; but at every interval of leisure, availed himself of the new facilities he enjoyed for reading. When sent out with parcels, he too frequently spent half his time in perusing the book-

with which he was charged, instead of taking them to their destination. His master declared that he could make nothing of him, and that he never would succeed as a bookseller. His life in the shop was not of the most agreeable description; and it was imbittered by the prospect of being condemned to a life of such unintellectual drudgery. On one occasion having been sent to the Duke of Grafton with three folio volumes of Clarendon's History and several other books, he was overcome with fatigue and despondency at the tasks to which he was subjected, and walking into Westminister Hall laid down his load and began to weep. But the bitterness of his feelings soon passed off; the associations of the place with which his reading had made him familiar, crowded into his mind, and appeared to fill him with new energy; and he determined, as he has often told us, in however humble a situation he might be placed, to continue storing his mind with knowledge, till the fitting opportunity should come round for his emancipation. He returned to the country between the age of sixteen and seventeen, and resumed his manual occupations, still continuing to indulge his irrepressible thirst for reading. He now turned his attention to Divinity, and made himself familiar with the works of all the most celebrated divines, without distinction of sect; and those who have enjoyed the advantage of conversing with him on religious topics, cannot have failed to appreciate the industry which had given him so vast a store of knowledge. To these pursuits he added the study of Latin. The strength of mind displayed in these intellectual pursuits by one who was obliged to look for his daily bread to the labour of his own hands, will appear on reflection, to form perhaps the most remarkable trait in his character. At the age of twenty-three he married the grand-daughter of the Revd. Mr. Clarke, the Baptist Minister at Froome; and this change in his circumstances rendered him doubly anxious for a different sphere of life.

At length the long expected opportunity turned up. The post of Master in a School supported by the Church in Broadmead, in the city of Bristol, became vacant. His friends urged him to apply for it. He came up to Bristol, underwent an examination before the Committee of management, and was unanimously accepted. The salary was small—£40 a year; but it brought him into a new circle where his energies and talent might have play. He removed to that city at the age of twenty-five, and obtained permission to devote the time not occupied in this School to one of his own. This seminary was soon crowded with pupils; it rose rapidly in public estimation, and placed him at once in circumstances of independence. Among his scholars was the late lamented and amiable Mr. Rich, the Resident at Bagdad, whose work on Babylon, has given him so just a celebrity. But the chief advantage of his position at Bristol was the introduction it afforded him to Dr. Ryland, the President of the Baptist Academy. He entered as a student in that seminary, and devoted every moment which he could spare from his avocations, to study under so able a master. He applied diligently to the Greek and Hebrew languages; and, subsequently, added to them Arabic and Syriac, in which his attainments, though not profound, were really above mediocrity. In this congenial course of improvement he passed six of the happiest years of his life. By the advice of Dr. Ryland he prepared himself for the Ministry, for which his great theological reading had well fitted him, and there was every prospect of his becoming an ornament to the denomination in his native land, with which he was associated. But a nobler field of exertion was now opened before him; for which, in the economy of Providence, this previous training appears evidently to have been intended to prepare him.

Dr. Carey, who had been employed for six years in India, in the new and untried filed of Missionary labours, while his future colleague was completing his studies at Bristol, had requested the Baptist Missionary Society, of which Dr. Ryland was one of the founders, to send more labourers into the vineyard. Dr. Ryland proposed the subject to his pupil, and found that it was not altogether new to his mind, as the perusal of the periodical accounts of the Mission had begun to kindle in his mind an anxiety for India. He was accepted by the Society, then in its infancy, as a Missionary, and embarked with Mr. Grant, one of his own pupils, Mr. Ward, and Mr. Brunsdon, on the *Criterion*, an American vessel. They arrived in the river in October, and intending to proceed to Mudnabatty to join Dr. Carey, were advised to take up their abode temporarily at Serampore, where they landed on the 13th October, 1799. It was about this time that the fear of an invasion of India by the French predominated in the counsels of India; several French emissaries in the guise of priests having been detected about the country. In announcing the arrival of Dr. Marshman and his associates, the printer of one of the Calcutta papers, who had never heard of the existence of a Baptist denomination, set forth that four Papist Missionaries had arrived in a foreign ship, and proceeded up to a foreign settlement. The paragraph could not fail to catch Lord Wellesley's eye. The Captain was instantly summoned to the police, and informed that his ship would be refused a port clearance, unless he engaged to take back the Papist Missionaries. He explained the mistake, and in one respect removed the fears of Government, but there was so strong a disposition manifested to obstruct Missionary operations, upon the plea of their dangerous tendency, that the Missionaries found they could not reside with any confidence in the British territories, and that it was wise to accept of the countenance and protection which was so generously offered them by the

Danish authorities. Dr. Carey felt the full force of their arguments, and soon after came down to join them ;—and thus commenced the Serampore Mission.

Three congenial minds were thus brought together by the appointment of Providence, and they lost no time in laying a broad basis for their future operations. They threw their whole souls into the noble enterprize which demanded all their courage and zeal, since from the British Government they had nothing but the sternest opposition to expect, the moment the extension and the success of their labours should bring them into public notice The resources of the Society were totally inadequate to the support of all the Missionary families now in the field. Indeed, Dr. Marshman and his associates had come out with the distinct understanding that they were to receive support only till they could support themselves. They immediately began to open independent sources of income. Dr. Carey obtained the post of Professor in the College of Fort William, then recently established. Dr. and Mrs. Marshman opened a Boarding School, and Mr. Ward established a printing office, and laboured with his own hands in setting the types of the first edition of the Bengalee New Testament, which Dr. Carey had brought with him. Dr. Carey's motto "Expect great things ; attempt great things" became the watchword of the three. They determined, by a noble sacrifice of individual interests and comforts, to live as one family and to throw their united income into one joint stock, to be devoted to the common cause. Merging all minor differences of opinion in a sacred anxiety for the promotion of the great enterprize which absorbed their minds, they made a combined movement for the diffusion of truth and knowledge in India To the hostility of Government, and to every discouragement which arose from the nature of the undertaking, they opposed a spirit of Christian meekness and calm perseverance. They stood in the front of the battle of Indian Missions; and during the arduous struggle, which terminated with the Charter of 1813, granting Missionaries free access to India, they never for a moment deserted their post, or despaired of success. When, at a subsequent period, Lord Hastings, who honoured them with his kind support, had occasion to revert in conversation to the severe conflict they had passed through, he assured them that, in his opinion, the freedom of resort to India which Missionaries then enjoyed, was owing, under God, to the prudence, the zeal and the wisdom which they had manifested, when the whole weight of Government in England and India was directed to the extinction of the Missionary enterprize.

It would be impossible, within the limits to which we must confine ourselves, to enumerate the plans which they formed for the Mission, for translations of the Sacred Scriptures, and for education ; or the obstacles which tried the strength of their principles. Neither is it possible to individualize Dr. Marshman's efforts in every case ; for so complete was the unity of their designs, that it seemed as if three great souls had been united in one, so as to have but one object, and to be imbued with one impulse. But with this unity of design, there was necessarily a division of labour ; and we may briefly state, therefore, the particular object which engaged Dr. Marshman's time and attention. In 1806 he applied himself diligently to the study of the Chinese language, and was enable to publish a translation of the entire Scriptures, and a Grammar in that tongue. The Loll Bazar Chapel, erected at a time when the means of religious instruction in Calcutta were small, and when religious feeling was at so low an ebb, that even Martyn could not command on an evening a congregation of more than twenty, was mainly indebted for its existence to Dr Marshman's personal efforts. When the erection of it was suspended for lack of funds, he went about from house to house raising subscriptions for it ; and for his pains was exhibited in masquerade, at an entertainment given to Lord Minto, as a "Pious Missionary, begging subscriptions."* To him the Benevolent Institution in Calcutta was indebted for its birth and subsequent vigour. The idea of it was struck out when Dr. Leyden, Dr. Marshman and Dr. Hare were dining together ; and the Prospectus drawn up by Dr. Marshman, was carefully revised by Dr. Leyden. He continued to act as Secretary to the Institution to the last moment in which his health permitted him to act. He was also associated with Dr. Carey in the translation of the Ramayun into English, of which three volumes were published. To the plan of Native Schools, he gave up much time and labour ; and the valuable "Hints" which he published in the form of a pamphlet, just at the time when the first efforts were made for Education in India, twenty-one years ago, was deemed worthy of being incorporated with one of the leading publications in England.

In 1826 he re-visited England after an absence of twenty-seven years, and travelled through the United Kingdom, endeavouring by his public addresses and in private conversation to urge on the cause of Missions ; and there are many now in India, to whom his notice will recal, with a melancholy pleasure, the warmth and animation which he was the means of communicating to their minds on that subject. He visited Denmark, and was graciously received by

* His friend Dr. Leyden was present at the masqued ball ; and as it was said that the subscription list was very full, Dr. M. endeavoured to discover his representative, that he might ask for the funds ; but Leyden would never disclose the name ; which led Dr. Marshman to tell him, that there was more humour than honesty in the transaction.

His Majesty Frederick the Sixth, to whose steady and uninterrupted protection, the Mission may be said to have been indebted for its existence, when assailed by the British Government. His Majesty was pleased to grant a Charter of Incorporation to Serampore College, upon Dr. Marshman's petition. He returned to Serampore in May, 1829, and joined Dr. Carey and his associates in superintending the Mission under the new form of an independent association, which it had acquired. In June, 1834, he was deprived of this venerable friend and colleague, with whom he had been permitted to act for *thirty five* years. He bore the separation with more firmness than was expected; but the dissolution of such a union, cemented by the noblest of all undertakings and sanctified by time, made a deep and visible impression on his mind. All the veneration and affection of his younger associates, could not fill up the void created by the loss of Dr. Carey. He appeared among us as the solitary relic of a past age of great men. The activity of his mind, however, though with occasional interruptions, continued till the mind itself appeared to be worn out. The calamity which befel his daughter, Mrs. Havelock, at Landour, in October last year, produced a severe shock to his feelings, which, added to increasing infirmities, brought him gradually lower and lower. About six weeks before his death, he was taken out on the river by the advice of Dr. Nicholson and Dr. Voigt, but his constitution was exhausted. Yet when the excitement of this short excursion, which was extended to Fort Gloster, had given him a small return of strength, both bodily and mental, the energy of former days seemed again to come over him, and he passed several days in arranging plans of usefulness, the accomplishment of which would have required years. At length, on Tuesday, the 5th of December, he gently sunk to rest, without pain or sorrow, in the lively enjoyment of that hope which is full of immortality.

His form was tall and athletic. His constitution appeared to be constructed of iron. He exposed himself to all the severities of an Indian climate, with perfect impunity. He enjoyed, till within the last year of his life, such uninterrupted health, as falls to the lot of few in India. During thirty-seven years he had not taken medicine to the value of ten rupees. The strength of his body seemed to be admirably adapted with the structure of his mind, to fit him for the long career of usefulness he was permitted to run. He was peculiarly remarkable for ceaseless industry. He usually rose at four, and despatched half the business of the day before breakfast. When extraordinary exertions appeared necessary, he seemed to have a perfect command over sleep, and has been known for days together, to take less than half his usal quantity of rest. His memory was great beyond that of most men. He recalled facts, with all their minute associations, with the utmost facility. This faculty the enjoyed to the last day of his existence. During the last month of his life, when unable even to turn on his couch without assistance, he dictated to his daughter, Mrs. Voigt, his recollections of the early establishment of the Mission at Serampore, with a clearness and minuteness perfectly astonishing. The vast stores of knowledge which he had laid up in early life, and to which he was making constant addition, rendered his personal intercourse in society a great enjoyment. His manners and deportment, particularly towards his inferiors, were remarkable for amenity and humility. To his family he was devoted almost to a fault, so that his enemies found in this subject a fertile field for criminatiôn—with what generosity of feeling let every parent judge. During a union of more than forty-six years, he was the most devoted of husbands, and as the father of a family of twelve children, of whom only six lived to an age to appreciate his worth, and only five survived to deplore his loss, he was the most affectionate of parents.

The leading traits of his character, more especially in the earlier part of his career, were energy and firmness. These, combined with a spirit of strong perseverance, enabled him to assist in carrying out into effect those large views which he and his colleagues delighted to indulge in. His piety was deep and genuine. His religious sentiments were without bigotry. But the most distinguishing feature in his life, was his ardent zeal for the cause of Missions. This zeal never for a moment suffered any abatement, but seemed to gather strength from every new difficulty. The *precious* cause, as he latterly denominated it, occupied his dying thoughts as it had occupied his living exertions; and the last question which he asked of those around him was, "Can you think of any thing I can yet do for it?" This zeal was united with a degree of pecuniary disinterestedness which has seldom been surpassed. He considered it his greatest privilege that God had enabled him to lay on the altar of his cause so large a contribution from his own labours. With the means of amassing an ample fortune, he did not leave behind him, of all his own earnings in India for thirty-eight years, more than the amount of a single year's income of his seminary in its palmy days.

We owe some apology for the length to which this notice has been extended; but the subject scarcely admitted of our saying less. To some even this lengthened memorial of the last survivor of the three men, who were, under God, the means of giving a spiritual and intellectual impulse to India, which will be felt during the present century, will not be displeasing; while others may possibly find some excuse for the length to which filial veneration has extended a tribute of affection, for one to whom the writer is indebted for whatever can be deemed valuable in life.—*Friend of India, December 14.*

QUEEN VICTORIA.

At this time, when the inhabitants of Calcutta are, by a public meeting, about to hail the young Queen, it is meet and just, that our countrymen should join in the rejoicings of the occasion, and mingling their feelings with those of the other portions of the population, and unite in mutual and cordial congratulations. Our countrymen are generally unmindful of these matters; we therefore feel it a duty incumbent upon us to arouse them on such occasions with any observation which we think would interest them, and induce them to take a share in these proceedings. The advertisements and notices in the daily papers, must have informed our countrymen of the meeting about to be held to morrow at the Town Hall, it is therefore needless to point out its objects and the course which it is expected to take. We shall simply offer a few remarks on the propriety of the natives taking share in its proceedings. Whatever may be the state of the question regarding the supremacy of England in this country; whether it is a conquered realm, a transferred possession, or held in trust, no one now disputes that England is the legitimate ruler of India, and that to her we one and all wish to continue attached: all we require is, that we should in this country enjoy the same privileges as the people of England do exercise in their country. This is the relative position in which we stand in regard to England, and it is a circumstance which clearly points out the feeling which we ought to entertain towards the Sovereigns and Rulers of that country, and those with which we must be actuated when those Sovereigns are to be honored by their subjects.

Such ought to be our general line of conduct; but the present occasion requires a more particular development of the feeling of loyalty with which we are bound to regard the throne of England. It has just been occupied by a Princess whose youth promises a long reign, whose sex holds forth the hope of a peaceful and happy administration, and whose first declaration is the pledge that these expectations will be fully realized. Under these circumstances it is but just and proper that we should meet to offer up our congratulatory orisons for the happiness and long continuance of her Majesty's reign. Under her auspices, every circumstances concurs to shew, that the people of England will be happy, and there is nothing to lead us to form a different anticipation in regard to the people of India; on the contrary, were we to look for an example in history, we would find the reign of Queen Elizabeth of England, cotemporary with the Augustan age of Akbar Shah in India, during whose just and liberal administration India was much happier than it had been for centuries past. Elizabeth was the first to send ambassadors to that monarch, and thus opened that intercourse between these distant countries which has since led to the foundation of this great empire, whose inhabitants are now about to meet in rejoicing on the accession of another Queen to the throne. The period that has elapsed between the reign of the illustrious Akbar and the present era, may be considered as the dark ages of Europe, during the early part of which the Marhattas and Pindarees, like the Goths and Vandals, ravaged the country, and laid in ruins the glories of the former dynasty. A new empire under the auspices of the nation, with which our connection commenced in the reign of Akbar, has risen up from the ruins of the old one, and we are about to join in rejoicing at a concurrence remarkably happy and so full with the hope of future prosperity. The dawn of knowledge in India is just beginning to brighten our hitherto benighted horizon, our youthful Queen may be looked upon as the morning star of the bright day which, during her reign, is expected to shine on India; and therefore it is meet and just that the children of the soil should cordially join in hailing their new Sovereign on the throne. We therefore trust our countrymen, notwithstanding the day fixed upon being a Hindoo holiday, will not fail to be present at the approaching meeting, in order to testify their feelings of loyalty, and sympathize with the other sections of the community, who will no doubt gather in numbers to the Town Hall, and with whom it is their interest to join on all public occasions; in order to shew that they are as much the subjects of England, and entitled to their rights and privileges, as any other class of the inhabitants of Calcutta.—*Herald, September* 24.

SELECTIONS FROM THE PORTFOLIO OF A JUDICIAL OFFICER.

No. 1. On the Police

"It sometimes happens, that he who would not hurt a fly, will hurt a nation."—Taylor's Statesman.

It appears from the fifth report of the Select Committee of the House of Commons, ordered to be printed in December 1812, that towards the close of the year 1809, the state of the Police in the Lower Provinces of this presidency had become so inefficient as to force itself on the attention of Government, and peremptorily to call for the adoption of measures calculated to effect increased vigilance and activity on the part of the Subordinate officers of the Department, and to produce a system of combined operations and more judicious control on the part of the Magistrates and Judges of Circuit who were, at that period, entrusted with the general superintendence of the Police.

The office of superintendent of Police was also created for the purpose of concentrating information and of devising successful plans of operation towards putting down the desperate gangs of dacoits, and to give a more minute attention to mere details of Police, than could be expected from the Judges of Circuit, already charged with many other important duties, and whose habits of judicial investigation might rather tend to occasion a bias in their minds, adverse to the measures, which the state of society in India renders absolutely necessary for the establishment and maintenance of an efficient system of Police.

2. An abstract of the measures then adopted or proposed, may be found in the report of Mr. Dowdeswell, dated September 22, 1809, and forming No. 12 of the Appendix to the fifth report.

Suffice it to say, that the system of Police established under the auspices of Mr Dowdeswell and of Mr. H. Colebrooke, continued to advance in efficiency from the year 1810 till about 1830, when, without the slightest impeachment being brought against the system or any demerit being established against the officers, who were charged with the execution of the measures necessary to its success, all of a sudden by the mere fiat of the Government,

——— "Verbosa et grandis epistola venit
A Capreis,"*

the judicial Judges of Circuit, the superintendents of Police, and the judicial Magistrates were all abolished, and revenue Commissioners and fiscal Magistrates created in their place—

"Ex illo fluere ac retro sublapsa referri
Spes Danaum, factæ vires, aversa Deæ mens."

From that day has the Police of this presidency gone on deteriorating till, at length, neither person nor property is safe; no, not even the wig of the Chief Justice deposited in the sanctuary of his own chambers.

3. A Sabbath of years has elapsed since the projectors of this hopeful reform have had it all their own way, like a bull in a China-shop, as the saying is, turning commercial factors into Judges and exalting gentlemen educated in the revenue department, and not known to have ever presided in a Court of Justice, to the bench of the Company's Supreme Court, and what has been the result? Why, just what had been foretold, and what the Government might at any time, have discovered, had it thought fit to ask the opinions of men of experience who had held office, with any degree of reputation, in the Judicial or Police Department. At present the Government appears to be quite to seek, and under the painful necessity of trying back, and of having recourse to the very system suggested by Mr. Dowdeswell in 1809.

4. I understand that queries have been lately issued to the Revenue Commissioners and Collector-Magistrates, requiring their opinions as to the junction or disjunction of the offices of Collector and Magistrate, and various other topics obviously arising out of the present inefficient and disorganized state of the Police.

Having been required, some 20 years ago, to give my opinion on similar topics, and having reason to think that I had, at that time, considered the subject of Police as maturely as many of the gifted Magistrates of the present day, making all due allowance for the prodigious march of intellect so conspicuous in the Police Department, I shall not be deterred by any false modesty from publishing some notes of my opinions, even at this late hour, as they may assist towards the improvement of a system which I defy the utmost ingenuity of the human intellect to make worse.

5. There is a book well known in Scottish law by the title of "Dictionary of Decisions." It is to be regretted, that it has never occured to this Government to patronize a "Dictionary of Official Opinions" to be collected from the numerous reports in every department. Such a compilation would, probably, obviate the necessity of numberless queries on topics already satisfactorily disposed of, and, to functionaries, the task of re-writing what has

* Reg. I of 1829. A most gratuitous enactment, unequalled for by the past and belied by the future; the fruitful source of ills innumerable.

already been better written, or of displaying their originality at the expence of their judgment.

"Occidet miseros, crambe repetita, Magistros".

In furtherance of this plain I shall proceed to communicate my foregone conclusions on many of the topics above alluded to, and which are again under consideration.

Observations on the Judicial letter of the Hon'ble the Court of Directors written in the beginning of 1816.

Police.

This division of the letter of the Hon'ble Court being occupied with the consideration of the expediency of vesting the revenue Collectors with the magisterial functions, the propriety of entrusting the Zumeendars, with the duties of police, and the present condition of the village chowkeedars, pasbans, or dosads, together with the means of rendering them of greater service to the general Police of the country, I shall proceed to consider each of those subjects in the abovementioned order.

I—Collectors.

1. I must confess that my surprize has seldom been so strongly excited as by learning that it was in contemplation to transfer the Police, together with part of the Magisterial functions, to the revenue Collectors of the districts.

The separation of the duties of the two departments having been co eval with, and forming the corner stone of the present laws and regulations of this Government, gentlemen educated in this service, more particularly the judicial branch of it, had accustomed themselves to consider it as a species of axiom, a kind of ultimate fact, to investigate or to question the truth of which would be equally useless and ridiculous. As it has, however, been brought to the test of discussion it is to be hoped, that there are not wanting arguments by which to defend it. If established customs, and the immemorial usages of mankind go for any thing, they may be confidently appealed to; or should it be tried by general argument with reference to the fitness of things it will not be found to shrink from the inquiry.

2. The Romans, in the Government of their extensive provinces, appear to have confided the military and judicial powers to the proconsuls and prætors.

The office of pæetor corresponded pretty exactly with that of our Collector. The duties of the two departments seem to have been kept completely separate.

It appears to me that in the vigor of the Mahomedan institutions in this country, the functions of Police, civil and criminal justice were exercised by the soobah or sipahsalar, the Nazim, the foujdar, the meer adil, the Cazee and Kotwal; and not by the Deewan or the amils; else where the applicability of the proverbial expression?

بدیوان میندا ز فریا دا

کہ شاید ز دیوا بو دا دا

"Bu Deewan mu, undar jureed-i-o.
Ki Shayad zu Deewan buroud dad-i-o"

3. It is stated by Vattel that "the establishment of Courts of justice is particularly necessary for the decision of all fiscal causes, that is to say, all the disputes which may arise between the subject on the one hand and on the other the persons who exert the profitable prerogatives of the prince:" and again, "in all well regulated States, in countries that are really States and not the dominions of a despot, the ordinary tribunals decide all causes in which the Sovereign is a party with as much freedom as those between private persons."

4. In order to understand the value and applicability of these quotations to the present question, we must consider that there is scarcely any transaction, hardly any description of accusation or of crime which may not, in this country, by the parties, the witnesses, or the judge be warped, so as to bear a relation to revenue matters: of the truth of this observation every gentleman who has presided in a Court of justice in India must be convinced by the frequent experience of applications from the officer of the revenue and commercial branches of the service to exert the influence of the Court in cases in which though the exertion of it might certainly expedite the object in view, yet would nevertheless be contrary to all received principles of justice.

Far be it from me, by this remark, to impugn the character of any man, or of any set of men among my fellow servants. The fact arises out of the imperfect constitution of human nature which renders the best of men liable to overlook impediments when zealously intent on the execution of their duty. But if revenue or commercial officers, and these very respectable men, can ever make up their minds publicly to solicit interference and assistance from the Courts which no upright or intelligent Magistrate would consider it his duty to grant, what is to restrain them, when, time and necessity urging and armed the power of the Police, a Surishtadar or Deewan should respectfully insinuate that such or such an order, not perhaps in itself manifestly unjust, would be attended with the greatest advantage to the interests of Government. In short, so easily does the mind become enslaved by habit, by forms and official arrangements, that both concerns being managed by the same set of individuals would in time become identified, and whatever tended to evince the zeal and activity of the Collector in making good his collections, &c. &c. would imperceptibly become to be considered as extremely just and proper, and as tending equally to the advantage of individuals, and the benefit of the State. I have only argued on

the supposition of the joint office being held by men of the most respectable character; on any other view of the subject I should dread to depict the consequences.

5. It may, however, be contended, that the revenue being fixed by the perpetual settlement and secured by the provision of sale by auction where the temptation or necessity to press upon the people in the collection of it? But, it will be admitted, that the Tarry Mahul and several other branches of the revenue are not permanent, that rent free lands are frequently resumed, new settlements made, new branches of revenue opened, &c. &c. Consider the power that the Police would give to the Collectors in forming these settlements, and then let any one say that this arrangement promises to be productive of protection to the subject, and credit to the Government. As matters at present stand, I have heard of revenue defaulters being, illegally, detained in guard-houses and such like places, what is to protect them hereafter from being cooped up with rogues and felons?

6. It would be almost endless to attempt to detail the points on which the duty and interest of the revenue officers would come in contact with the feelings and interests of the people if armed with the powers of the Police. What gives rise to so many offences and complaints in the criminal department, as disputes relating to crops, rents, boundaries and other matters connected with the revenue department? In short, to end the enumeration, I may say with the poet—

"Quis quid conspicuum, pulchrumque est æquore toti
Res scit est ubicumque natat."

So endless and in definite are the relations of the fiscal department in this country. Further, the country is overrun with the agents and chuprasees of custom masters, of opium agents, of commercial residents and of salt agents. I submit whether or no it be necessary for the happiness, the comfort, the existence of the people, and for the sake of appearances and the credit, if not the profit of Government, that these myrmidons should be under the superintendence and control of gentlemen of another department, who, having no interest in, or connection with, the object of their employ may exercise a vigilant, but just and responsible control over their actions.

7. It is observed in the fifth report of the House of Commons that the Collectors being divested of the Magisterial authority it becomes necessary to provide, by other means, for the collection of arrears of land revenue, which clearly shews the use which was made of the Magisterial power when they possessed it, and, I much fear, that nothing could prevent their resorting to the same means of collecting, although a more regular mode has now been provided as therein stated.

It will, I trust, fully appear from the above observations, that the effect of such an arrangement would be to throw a temptation in the way and to give a bias to the minds of the revenue officers, which would, in almost every case, tend in favor of the Government, the zemindars and the higher classes which is, in my opinion, just the reverse to what ought to prevail in the minds of Magistrates in this country.

8. It will be allowed that the obligations of a state towards its subjects require that the executive authority and all its Officers should be responsible to the laws for the due exercise of the powers committed to them with the view of enabling them to realize the public revenue.

The functions of a Court of Judicature may may be divided into the *ante-Judicial* the *Judicial* and the *post Judicial*. The first, including the Police, comprehends every measure which may be requisite to prevent the perpetration of lawless designs, the apprehensions of offenders, the securing of witnesses and evidence, and, in short, every thing which may be necessary to bring a cause to a hearing.

The second or Judicial of course comprehends the examination of witnesses and evidence, together with the decision of the courts.

The third, or post-Judicial, includes every thing which is required to enforce, and carry into execution the sentence in a matter either civil or criminal.

It is only necessary to keep in mind this division to perceive what a tremendous degree of power will be thrown into the hands of the revenue Officers by the proposed arrangement. It will become an absurdity, a mere mockery, to say that the subject may prefer a complaint against the Government or its revenue Officers.

What chance could the complainant expect when every thing which is to tend to reinstate him in his rights; in short, all the appertenances of justice are in the hands of his adversaries. The native officers of the Government too well understand the nature of that formidable engine the Police to let slip so fine an opportunity for oppression. Besides, it is not in civil suits of great value, or by criminal offences of great enormity, that the poor man is oppressed in this country; but by a series of petty annoyances, trifling insults, temporary confinement, loss of time, and, in short, by that slow and imperceptible, but fatal practice of injustice known to the natives by the names of *dikdary and eezarusany*.

"Res atteritur longo sufflamine Litis."

All these evils the Judge, deprived of the Police, would have no power to prevent. Nor would his decrees be of much value when he was deprived of the power requsite to enforce them, more particularly as this is no very easy matter at present.

9. None of the reasons alleged in favor of this change of system, seem to carry the

least weight. In the first place it is stated, in the Court's letter, that the principle of the separation of the departments has, in some instances, been deviated from; yet, the instance of referring certain descriptions of suits to the collectors for their report while attended with great convenience is, in itself, by no means so important a deviation as in any degree to involve a direliction of the principle.

10. Another a reason assigned is, that collectors have abundance of leisure. This position appears to me very questionable, provided, they do their duty, and will, certainly, not hold when the several descriptions of civil suits alluded to in the Court's letter are made over to them for decision.

It is also stated, that their locomotive faculties are greater than those of their Judicial brethren. This, I think, very contestable. At all events, my recollection furnishes me, with no instances of it in an official point of view. At present the collectors are just as sedentary as the Judges, and, it appears to me just as easy to put the one set of officers in motion as the other. The Judges might, without any public inconvenience, be directed to hold their courts during three months of the cold season in some of the large towns of their districts, situated at a distance from the station.

As they might select cases relating to disputed boundaries, alluvial lands, &c., &c for decision during their progress, and notice might be given to the vakeels and others concerned, I cannot see how this should occasion any suspension even of civil business, while it would, doubtless, be of the highest service to the Police. Should there appear, however, any objections to the plan they might be authorized to spend the half of each of the above mentioned months in the Mofussil employed in the investigation of matters of Police, and the other half at the station for the decision of civil suits.

11. One thing of no small moment appears to have escaped the attention of the Court.

The present judicial servants have, as I have always understood, been selected as the best fitted from their character, habits and pursuits for the situation; many of them have been employed in the line for 10 or 15 years, some for a longer period; and it may, reasonably be supposed, that all this experience has not been completely lost upon them. Further, matters of civil and criminal jurisprudence, including the Police, being more or less intimately connected with each other, it may happen, that many individuals may have endeavoured, by the course of their reading and reflection, to qualify themselves for the arduous and complicated duties of their office. But it will hardly be contended, that the present race of collectors will be able to obtain an equal degree of information on these points, and similar habits of practical fitness by mere attention, or the bare act of printing a regulation transferring to them the Police and magisterial functions.

In all matters of expediency and calculation, the loss of time and labor required to reproduce the same effects, may be reckoned to go for something and ought calmly to be taken into consideration before any steps are taken for the dislocation of the present system.

12. As tumults and partial insurrections are not without the limits of possibility, it appears politic and expedient, that the Police should be vested in the hands of a class of persons who, not coming in contact with the people in matters connected with their interests or likely to excite their irritability, may, therefore, have a greater chance to command their regard and respect than those officers whose duty it is to make frequent applications to their purses in the shape of tax-gatherers.

In short, it appears, that the proposed arrangement so far from promising greater expedition in the dispatch of business, greater security to the subject, increase of credit to the Government, or of ease and satisfaction to the officers of both departments, would, in probability, be attended with effects just the reverse.

CIVIS.

Calcutta Courier, August 10.]

NO. 2, ON THE POLICE.

"It sometimes happens that he who would not hurt a fly, will hurt a nation."—*Taylor's Statesman.*

The subject of my present communication is the expediency of vesting the landholders with additional power in matters of police.

Having carefully re-considered the matter, and having been, I trust, a not inattentive spectator of the changes which have occurred during the last twenty years, yet I must confess that I find little to qualify or retract from the opinions recored at the commencement of that period.

2. It will probably be admitted, that the character and conduct of landholders, like that of all large classes of men, is considerably influenced, if not entirely formed, by professional traditions and prejudices, by education, by motives of interest, and by the general state and opinions of the period and society in which they live.

It is possible that an improved system of education, and a more intimate intercourse with the higher classes of Europeans, may have had a favorable influence on the character of some of the principal landholders in the immediate vicinity of the capital. But this influence has not, I believe, penetrated far or deep, and it is doubtful whether it operates even on those above alluded to, when resident in the Mofussil and removed from the inspection of their European acquaintances.

3. Ambition, ostentation, the love of power and of adding to their acres, appear to be the besetting sins of great landed proprietors in a rude and uncivilized state of society; and the strong and increasing objections to the conduct of the "*great unpaid*" so evident in the English press, is calculated to raise serious doubts as to the peculiar fitness of this class to be trusted with power, even in the more advanced stages of society. The misconduct of many of the Irish Magistrates who, no doubt, bear a still nearer resemblance to the country gentlemen of India, appears still further to corroborate this opinion.

4. However this may be, I entertain considerable doubt whether any favorable change has taken place in the character and qualifications of the great body of the zumeendars, notwithstanding the perpetual puffing and flourish of a certain chourus of two-penny trumpets respecting the march of intellect, civilization, &c. &c. "usque ad nauseam."

There are not a few persons in this, as in other countries, who have yet to learn that *civilization*, any more than *respectability*, doe not consist merely in driving a one-horse chaise.

Observations on the Judicial letter of the Hon'ble the Court of Directors, written in the beginning—of 1816.

II —Zumeendars.

1. I next come to consider the expediency of placing the Police in the hands of the Zumeendars.

On a subject which has exercised the judgment and abilities of many eminent men, it becomes me to speak with deference. It may be remarked, however, that as the Court seems to restrict its recommendation of the measure to those cases in which the proprietors of extensive zumeendaries, residing on their estates, retain the management of them in their own hands, the description would apply to so small a class of persons as scarcely to deserve consideration. For almost all the great zumeendars with whom I am acquainted, whether resident or otherwise, manage their estates through the medium of farmers holding under various tenures, but generally so contrived that all responsibility, in matters of Police, shall be so divided and so easily shifted as, in fact, to attach to none of them. Neither are the general habits and character of the zumeendars such as to qualify them, independently of other considerations, to officiate as officers of Police. The greater zumeendars, spending their days in all manner of debauchery, are rarely equal to the management of their own estates, commonly entrusted to some unprincipled gomasta or deewan; while the greater degree of activity possessed by the smaller zumeendars, is chiefly displayed in promoting affrays and oppressing their ryots. Nor would zumeendars, of any respectability, accept the office if accompanied by adequate responsibility, and in the event of its being confered on zhmeendars of another description, or on any of them without heavy responsibility, it would speedily tend to the ruin of the country.

The argument advanced by the proposers of his system, being founded either on ancient usage, alleged experience or analogy with European institutions, I shall proceed to consider each of these points separately, and shall conclude with a few general remarks respecting the expediency of the measure.

2. The zumeendars in the vigor of the Moghul empire were, doubtless, officers of the government and removeable at its pleasure. Entrusted with the collection of the revenue and the superintendence of the police, it was reasonable that they should be accountable for the preservation of the peace, so long as they were allowed revenues for that express purpose. These, as the safer for instance, and considerable portions of land allotted to the various zumeendary servants, have been diverted from purposes of police, in consequence of the perpetual settlement. Many of the ancient institutions, from the period of the decline of the Moghul government to that of the acquisition of the deewanee; and from that time to the formation of the perpetual settlement, had fallen into disuse, or been so abused as not to admit of being restored to their primitive purity. A still more difficult task remained to adjust those fragments of primeval civilization to the state of things contemplated in those arrangements.

It was not then the order of the day to search for relics of Hindoo simplicity—or to admire the vigor of Mahomedan despotism; on the contrary, we seem to have adopted the good revolutionary maxim of rendering every thing as new as ourselves. Yet it would be more than indecent to suppose that the enlightened and disinterested statesmen who presided over these measures, did not pass a thought on those decayed institutions before consigning them to oblivion.

3. On the contrary, they probably considered them as incompatible with the order of things intended to be introduced, and contemplated the period when the increasing opulence and intelligence of the natives should enable and incline them to maintain municipal institutions more adapted to the improving state of society.

It happens, unfortunately, that since the antiquities of a few obscure Hindoo dynasties of the Dukhun have been explored, a class of persons has arisen—

"Qui redit in fastos, et virtutem æstimat annis,
Miraturque nihil, nisi quod Libitina sacravit,"

without perhaps very accurately examining how far those institutions, at one time no doubt judicious, would agree and coalesce with a state of things essentially different.

It has, also, been alleged, that the Police was more efficient and the lives and property of travellers better protected under the native governments than at present.

I have endeavoured, in the course of conversations with itelligent natives, to trace the grounds of this assertion; but without success. I understand that formerly it was considered extremely dangerous to proceed west from Benares, and that travellers were obliged to go armed and in caravans for mutual protection. But present evil being always magnified, and great pains being at present taken to discover the number and nature of offences, whereas the native governments never gave any attention to the subject, the very accuracy of our information and the means resorted to for the suppression of crimes, must tend to make them assume a size and degree of prominence which they did not formerly possess.

4. But supposing, for a moment, the police, under the Mahomedan government, to have attained a certain degree of perfection, this seems rather to be attributed to the efficient control exercised by the officers of government over all below them, than to any merit on the part of the zumeendars, who, instead of being trusted and honored, were, in fact, humbled and distressed in exact proportion to the degree of vigor possessed by the government. Besides, contrast the scanty establishments of the Magistrates with the immence armies maintained for the preservation of tranquillity by the native governments in every province; a description of force which, if it served no other purpose, at least gave employment to a number of persons who would, otherwise, have resorted to plunder for a livelihood.

5. However, there are probably few magistrates in the Company's employ, who would not, even with the limited establishment at present allowed, be able to maintain a most efficient police, were they vested with powers in any degree approaching to those possessed by the Hindoostanee amils. But those at the head of affairs in Native governments, little scrupulous or inquisitive about the means, looked only to the end proposed; whereas a very different degree of responsibility awaits the native officers employed under the government, while the European officer, trembling alive to his character, is aware that no general success of his measures or fairness of reputation can protect him from the mortification and disgrace which attend, not only every deviation from the paths of rectitude, but even, sometimes, no very glaring errors of judgment.

It is not, therefore, surprising, if some magistrates embarrassed with the multiplicity of forms and nicety of modes of proceeding, alarmed at the variety and extent of the responsibility, and disgusted with the small degree of discretion or influence remaining to them, should temporize and hesitate, and, through the dread of doing something wrong, in fact, do nothing well. Others, again, who take a bolder course, incur a heavy responsibility, and are involved in a series of contentions sufficient to occupy their whole attention, and to leave them no time to attend the other branches of their duty.

6. In short things seem to be verging to that crisis which will require that the duties of the magistrate should be exercised by a separate judicial officer; or that the hands of the present magistrates should be strengthened, so as to enable them to perform their arduous duties, even at the risk of a small degree of that speedy injustice which is advantageously contrasted in the Court's letter, with the present system of protracted justice.

But I propose to consider this subject more fully under the head of criminal jurisprudence.

7. No satisfactory conclusion can be drawn from the test of experience in favor of the system of entrusting the police to the zumeendars. It may, no doubt, under judicious supervision, and assisted by certain local peculiarities, have answered in the Jungle Mahul, Hurrayana and a few others districts; but a similar argument may be adduced in favor of every other system that has been adopted. In fact it appears to me, that it is to the vigilant control exercised by the magistrate, rather than to any peculiarity in the distribution of powers among the natives, that we must look for the efficiency of all systems of police in this country.

At all events the district of Budwan may be adduced as an instance of the practicability of approaching towards attainable perfection through the agency of the thanadaree system, and the general state of the police in the six districts contained in this division, (Patna Circuit) may be instanced to show that it is not incompatible with the preservation of the peace throughout a very extensive opulent and flourishing portion of our empire.

8. I must humbly suggest, that all arguments in favor of this system, founded on any apparent analogy with European institutions, or comparison of the zumeendars of this country with English gentlemen, must arise from a very imperfect knowledge of the character of the zumeendars, and a very limited view of the state of society in both countries.

The only mode of fairly considering the question is, not by comparing the ignorant and unprincipled zumeendars of these provinces with the well educated and liberal minded English gentlemen of the nineteenth century; but by going back a few ages, and drawing a parallel between the former and the ancestors of the latter in a somewhat similar state of society, and to mark the relations between the Crown and the landed proprietors of those days.

For this purpose it will be proper to carry back our thoughts to the state of European

society as it existed previously to the reign of Henry the Seventh.

In the history of those times we read of the successive steps which were taken by the Crown, to reduce the powers of the Barons, to control the jurisdiction of their courts, and to limit the numbers of their retainers.

Nor did England nor Europe in general arrive at the pitch of prosperity which it now enjoys, till, by restraining the power of the landholders and bestowing immunities and municipal institutions on the towns and cities, one equal and uniform course of law and police was established throughout the kingdoms.

9. In like manner the zumeendars are, proverbially, throughout Hindoostan, considered as scourges and oppressors of their fellow subjects. Indeed, by no single circumstance have good princes been more usually characterized among oriental writers, than by the severity with which they have punished their transgressions, and it is enumerated by the respectable author of the "Seer ccurool Mutu'akhu'reen," among the defects of the British government, that it had relaxed the severity of that control to which the conduct of the zumeendars was formerly subject.

That the zumeendars, although more indebted to the government, are, generally speaking, worse affected and more contumacious towards its officers than the mercantile or any other body of the people, is a fact which admits of no dispute. When the zumeedars were officers of the government and removeable at its pleasure, the influence they acquired by the exercise of the police was of little consequence; but now that they are possessed of extensive hereditary estates, it becomes a question of the highest political importance, and nearly connected with the stability of the government.

10. It, certainly, might have been supposed, that possessing property, they would have become anxious for the preservation of order, and the maintenance of the peace. Experience, however, has proved the very reverse to be the case. By whom are all the great affrays, the prevalence of which has afforded so much matter for lamentation, contrived, and for whose advantage perpetrated but that of the zumeedars? Who have so frequently given harbor to, and participated in the spoils of gangs of dacoits as the zumeendars? Who rackrent, torture and oppress the ryuts, but the zumeendars? In short, against what class of the community do the records of courts furnish such a mass of insolence, disaffection, cruelty and injustice as against the zumeendars? I can safely assert, that during a late excursion through this district, I received ten complaints against the principal zumeendar, and his farmers for one against any other individual, and that I have uniformly, experienced greater difficulty in enforcing any process of the court, in his zumeendaree, than in any other part of the district. Nor is he the only rajah or great zumeendar, who has exalted himself to that bad eminence; in fact, so far from being fit persons to be entrusted with the power of the police, the supervision and correction of their conduct appears to me, the grand and primary object of all Police.

11. Indeed their conduct much more resembles that of feudal Barons towards their Prince and their villains, than that of English gentlemen towards their sovereign and tenants. That they have not rendered themselves equally formidable must, certainly, be allowed; but the circumstances of the government of this country possessing a large disposeable revenue, and the command of a numerous army, are sufficient to account for this difference. Sooner or later, however, power will follow property and it would, in my opinion, be highly inexpedient, unnecessarily to add to their influence and to awaken the ambition of this formidable body of men.

12. It is justly observed by a gentleman of very eminent talents, that "our police administration has no root in the native soil of the community." This observation of awful import applies but too justly to all our institutions in every department of the state. Nowhere have we taken root in the native soil, but hang loose floating on the breath of public opinion. Nowhere have we that influence which is truly described to be possessed by the gentry, the landholders, the corporate bodies, and the substantial persons of our native country. No social connections, no natural ties, attach us to the natives; every where the disjunction is observable. However, we vary the distribution of the power and influence emanating from the government, still, on the confines where European and native agency meets, there appears an "*hiatus valdé lamentabile.*

"From na ure's chain whatever link you strike,
Tenth or ten-thousandth, breaks the chain alike."

This evil, in no degree to be remedied by promoting the independence and influence of the zumeendars, or indeed of any other class of the community exclusively, is only, in my opinion, to be palliated by nicely balancing the claims and pretensions of the various classes and orders of society; and by judiciously apportioning a correspondent degree of power and influence to each, so to equipoise and neutralize the positive strength of the whole, as to render it submissive and manageable for the purposes of government.

Perhaps, the only radical cure might be the permission to acquire lands and the admission of colonisation by British subjects on some liberal principle; together with the introduction of a judicious municipal system, adapted to the habits and character of the people, into the principle cities, towns and gunges.

Query.

Calcutta Courier, August 19.]

THE ASSAM CIVIL CODE.

The "rules for the administration of civil justice in Assam," have been printed for circulation.

to be two classes of native judges—moonsiffs to try suits referred to them by the Commissioner or his Assistants (lakheraj claims excepted) not exceeding the value of 100 rupees; and Sudder Ameens with similar powers in cases of original suits not exceeding 1,000 rupees, and in cases of appeals from the Moonsiffs. The Moonsiffs to be appointed by the Commissioner from a list of three persons named by the Assistant in charge of the district, the Sudder Ameens to be also nominated by the Commissioner, but subject to confirmation by the Governor of Bengal, the best qualified Moonsiff in the district to have the preference except in special cases.

The European functionaries for the administration of civil justice to be the Commissioner and the Assistants in charge of the several districts. All petitions of plaint to be first presented to the Assistant, who is to retain on his own file those exceeding 1,000 rupees in amount, as well as all Lakheraj claims, but may refer claims of smaller amount to the native Judges, an appeal to lie from the Assistant to the Commissioner, and from the latter a special appeal to the Sudder Dewanny Adawlut. The Commissioner or Assistant may remove to his own or any other Court any cause pending in a lower Court, recording his reasons for so doing.

"No civil suit shall be cognizable in any Court in Assam, in which the cause of action shall have originated at any period antecedent to the date of the treaty of Yandaboo, viz. the 24th February, 1826. For suits arising subsequently to that date twelve years is to be the period of limitation, within which from the date of the transaction wherein it originates a suit must be instituted; unless the complainant can shew by clear positive proof that he had demanded the money or matter in question, and that the defendant had admitted the truth of the demand, or promised to pay the money; or that he directly preferred his claim within the period for the matter in dispute to a Court of competent jurisdiction to try the demand, and shall assign satisfactory reasons to the Court why he did not proceed in the suit; or shall prove that either from minority or other good and sufficient cause he had been precluded from obtaining redress."

Suits for personal property to be instituted in the Court in charge of the division where the defendant resides, or that in which he resided at the time; suits for damages on account of injury to character, either in the district of the defendant's residence, or in that in which the act was committed. In fixing damages, the officer presiding over the Court to endeavour to obtain the aid of a jury or of a few native assessors.

Moonsiffs and Sudder Ameens guilty of any act of misconduct, may be fined by the Assistant in a sum not exceeding the amount of one month's salary. Offences requiring greater punishment to be reported to the Commissioner, who may dismiss a Moonsiff, suspend a Sudder Ameen and temporarily appoint nother, submitting a report to Government.

Moonsiffs and Sudder Ameens are competent to fine to the extent of fifty rupees, commutable to imprisonment for one month; "any party guilty of a gross contempt of their lawful authority or any of their subordinate officers guilty of gross contumacy or disrespect," reporting the same within twenty-four hours to their immediate superior. The Commissioner and Assistants and Sub-assistants may, in like cases, fine to the extent of 200 rupees, commutable to six months' imprisonment.

On filing an original suit, written notice to be given to the defendant to file his answer within fifteen days; if he fail to do so, proclamation to be made allowing him fifteen days more, after which, on his default, the case to be tried exparte. After the defendant's answer has been filed, ten days to be allowed for the plaintiff's rejoinder, and six days for the defendant's replication. Parties may bring up their own witnesses, or have them subpœnaed; "and the Court, in passing a final decision upon the case, shall include whatever sum, not exceeding the rate of three annas per diem, may be proved to have been paid to witnesses for their subsistence, among the costs of suit."

Depositions to be taken in Bengallee, in the presence of the Assistant, or a junior Assistant, or the head officer of the Court, who is to attest the same with his signature. The Assistant to pass judgment in open Court, record the substance and attest the same with his signature in a book before he quits the Court; the decision to be afterwards drawn up in form.

The Assistant may reject a suit as inadmissible without filing it or calling upon the defendant for a reply; in which case parties may appeal to the Commissioner, who may direct the Assistant to admit the suit.

The Assistant may summarily dispose of cases relating to cast or marriage without putting them on his regular file, which, however, the Commissioner may order to be done.

The Assistant, may, and is recommended to, require personal attendance of plaintiff and defendant, and examine them on oath.

Native Judges not to try cases in which their own sanitah or spiritual instructions are concerned; but must refer them to the Assistant, by whom they may be sent to another Sudder Ameen or Moonsiff, or to the Junior or sub-assistant.

Assistant may require security, or imprison or attach defendant's property, if the defendant is about to abscond, and may, in such case, try the suit without reference to the order of the file.

The Courts to use every proper means for inducing parties to refer their disputes to arbitration.

Persons suing as paupers to file a schedule of their whole property.

[illegible] against a European or native officer [illegible], to be notified to the Commanding [illegible] corps.

Appeal from the Moonsiffs or Sudder Ameens to the Assistant, to be made within one month of decree. The Assistant may refer the following to a Sudder Ameen. Appeals from the Assistant to the Commissioner, within two months. In very special cases three months allowed for any appeal; and in cases of interlocutory decrees, exceeding, appeal allowed.

Respondent not to be summoned if the [illegible] Assistant is satisfied to see, [illegible] face of the proceedings, no reason [illegible] to admit. Further evidence may [illegible] case appealed, or the case [illegible] to the lower Court [illegible] to investigate.

Appeal may be admitted after the term prescribed, [illegible] delay has arisen from insufficient [illegible].

Decree to be executed notwithstanding appeal, unless the appellant give security. But the superior Court may stay execution, for reasons to be set forth in the order.

Appellant to lodge security for costs on presenting a petition of regular appeal; but in cases of special appeal, not required to do so till appeal shall have been admitted: six weeks notice allowed him for this; after which, on default, the right of appeal forfeited.

The rules on the subject of arbitrators, paupers and military defendants in original suits, applicable also to appeal cases.

No regular vakeels to be attached to the Courts in Assam. Parties may plead in person or appoint any one to plead for them, making their own terms; but the Commissioner may declare any individual incompetent to act as a vakeel, recording his reasons, which may be overruled by the Sudder. In awarding costs the charge for vakeel's fees not to exceed what has been customary in Assam, viz. 5 per cent. on the amount.

Petitions for execution of decrees by whatever Court, to be presented to the Commissioner or the Assistant, within one year. In special cases this limit may be exceeded by order of the Commissioner; but if the decree has issued from his own court, he must obtain the sanction of the Sudder for allowing execution after the twelve months.

In case of non-payment of the amount decreed against him, a *dustuk* to be issued for the arrest of the party cast in the suit; and if he abscond, the peada entrusted with the enforcement of the process to attach his moveable property, make an inventory thereof and give it in charge to some respectable person of the village, to be sold by the Nazir at the end of fifteen days, the Nazir retaining 5 per cent for costs of sale. If the proceeds be insufficient, the Nazir to attach his immoveable property in presence of some of the neighbors, which property (after a term fixed by the commissioner) to be sold in presence of the Collector. If the judgment be still not [illegible] in full, the debtor may be arrested, [illegible] lodging two months' subsistence money with the Nazir, and after the first month or two months more, at a rate fixed by the Assistant, not less than one anna nor more than three annas per diem.

Fraudulent concealment of property punishable as a misdemeanor, with a fine not exceeding two hundred rupees, commutable to imprisonment not exceeding one year, with or without labor.

Persons in confinement may be released on [illegible] all their property, or upon special grounds by order of the Commissioner.

No person liable to imprisonment in satisfaction of a decree for any sum not exceeding fifty rupees, beyond a period of six months. "If a decree be for a sum not exceeding 300 rupees, the party cast may be detained for a term of six months on account of every 50 rupees demandable thereon, so that the whole term of imprisonment shall not exceed three years. If the decree be for a greater sum than 300 rupees, the commissioner is competent, on the expiration of the three years, to liberate the party in confinement," but his liberation not to discharge the property of the debtor.

If no property be found in executing a decree the court may take security for liquidating the amount by instalments, and allow the debtor to remain at large.

Subsistence money to be repaid out of debtor's property when sufficient, but "a party not to be kept in confinement for the repayment of such money only."

The Assistants may make over applications for execution to junior or sub-assistants, or sudder ameens.

The Nazir of the Assistant's Courts to conduct the duties in the Courts of the sudder ameens and moonsiffs.

Registers to be kept of all peadas and tecklahs, and none other to be employed: their pay to be three annas a day, with two annas additional paid by the parties (for a conveyance) in the rainy season. The Nazir to be remunerated with one-fourth of the allowance lodged for peadas and tecklahs.

The period allowed for warrants to be served, to be regulated hereafter by the Assistant in communication with the commissioner.

A register of all original suits to be kept by the Assistant. Also by the sudder ameens and moonsiffs. The two latter to make a monthly return to the Assistant.

All decisions in the Assam Courts to be written in Bengallee.

The Sudder to fix the minimum number of suits to be decided monthly.

Here follow a number of clauses relating to mortgages; the effect of which is to respect all written contracts and allow redemption or foreclosing at any time when no term is fixed. All existing verbal contracts of the nature of a mortgage to be treated as such, but "no mortgage, not supported by a written deed, is, after the promulgation of the rule, to be taken cognizance of by any civil Court in the province."

The Assistant to hold the summary suits' Court as Collector; but the commissioner may authorise the junior or sub assistant to hold it. The Assistant may employ one of the moonsiffs as an assessor therein.

All complaints about arrears and revenue matters to be heard by the Assistant as Collector and decided in the summary suits' Court. Suits of this kind must be preferred within one month from the close of the year to which they refer.

Extortions punishable in the summary suits' Court by fine of four times the amount or imprisonment.

Appeal to lie from the summary suits' Court the Commissioner within six weeks, and a special appeal from the latter to the Sudder Board of Revenue within three months.

Monthly returns to be made by the Assistants to the Commissioner.

An officer to be established in the several districts for the registry of deeds; one rupee to be the fee for registration, as a perquisite to the junior or sub-assistant.—*Calcutta Courier, March 7.*

The *Courier* has published an abstract of the Rules for the administration of civil justice in Assam, which have been printed for circulation. These Rules, as far as we are enabled to judge from the abstract, appear to us to be hastily drawn up and without discrimination of circumstances: for instance, the period of limitation for the commencement of suits, is made to be twelve years from the date of the transaction, out of which the suit arises; now, we would say this is far too long a period for a party to have a small, simple contract demand hanging over his head, whilst on the other hand, in a question of large amount, or concerning law, we think the time too short; but we suppose that an ample latitude for the admission of old suits will be found in the exception, saving the cases in which the party shall "prove that either from minority, or *other good and sufficient cause*, he had been precluded from obtaining redress." We are too led to infer, that this exception may be as extremely used, as the celebrated good and sufficient reasons assigned for another purpose than that of admitting a suit, the concluding one of which is so very strong, that it might have saved the trouble of enumerating the preceding, being no other than "any other reason why."

We hardly understand what is meant by the statement that in fixing damages the officer presiding over the Court, is to endeavour to obtain the aid of a jury, or of a few native assessors. The rule on this subject should be certain and positive, or it will leave the matter entirely to the option of the officer, and the constitution of the Court, will depend upon his very vague opinion or uncertain endeavours.—*Hurkaru, March 8.*

A body of rules for the administration of civil justice in Assam, has recently been drawn up and published, and one of our contemporaries has furnished his readers with an abstract of them, from which we learn that they are based upon the regulations which have been successively passed for the Government of Bengal and the Western Provinces. They are in fact, an epitome of the existing code, a little modified to suit the peculiar circumstances of Assam. It would be out of place to pass them under review, and comment on them individually; but we may be allowed to indulge in one or two general observations, which naturally present themselves to the mind.

In the first place it cannot but be considered a great advantage to the extensive country of Assam, to possess an entire code of civil procedure in so small a compass and in so portable a form. While in the older provinces of this empire, the suitor for justice is bewildered in travelling through nine quarto volumes of regulations, of which nearly one-half are employed to destroy the other half, sometimes piece-meal, at other times by whole sale, our more favoured subjects in Assam, have presented to them all the rules necessary for the security of their rights, in a small volume of which any man may make himself master in a few days, and the price of which is so reasonable as to be within the means of all but the most

needy. The boon of brief and clear legislation, which is among the greatest which a Government can confer on its subjects has been now bestowed on Assam, and nothing is wanting to complete the value of the gift but a translation of the code into the native language.

These rules provide that all depositions shall be taken down in the *Bengalee* language. This is in fact to make Bengalee the language of the Courts in Assam, and to give it a preponderance which may enable it in time to supplant Assamese. Both languages have an equal relation to the Sungskrit; both are written, some modifications excepted, in the same character; and four-fifths of the vocables are common to both. If Bengalee be the standard, the Assamese may be regarded as a provincial dialect, differing less from Bengalee than the dialect of Yorkshire does from written English. We have reason to know that it is the wish of the local authorities in Assam to give the Bengalee language a general currency in that province, in order that the civilization of Bengal and Assam may proceed forward by means of a common literature, and though we have heard strong argument advanced against the plan, founded upon the idea that the similarity of the two languages is not so great as we suppose, yet we very much incline to approve of a plan, which must in time issue in assimilating the language of the two countries. Nothing appears so likely to secure this desideratum as the introduction of Bengalee into the Courts; and if the great objects for which tribunals exist, be not impeded thereby, there can certainly be no harm in the attempt.

But the peculiar feature of the public administration in Assam is, that it is entirely in the hands of military officers. All the civil, political, fiscal and criminal business of this extensive country is conducted without the aid of a single civilian. It appears as though the Supreme Government had determined to try upon a large scale the experiment of administering the affairs of a kingdom in every department, by functionaries drawn from the ranks of the army. This plan was doubtless forced upon the public authorities by economical considerations; as the expence of the administration through this agency, is not a third of the sum which would be required to provide Assam with Judges, Magistrates, and Collectors from the Civil Service. The scanty revenues of the country required a cheaper arrangement than that which was provided for the old regulation provinces. The experiment appears to have fully answered every expectation which could have been formed. Under the present system, the country is gradually recovering from the ravages of former years; the revenues are progressively increasing: peace, security and justice have been assured to the people; and as far as circumstances would permit, all the ends of Government have been fully attained. The success which has attended this attempt, combined with the results which have followed from the employment of military men in the supression of thuggee, is calculated to encourage Government to extend the system and, while the administration of civil justice is left to the civil service, to avail themselves of their military servants, at least, for the regulation of the Police.—*Friend of India, March 16.*

BURMAH.

We publish this day a letter from Mr. Kincaid, one of the American missionaries, who has been obliged to quit Ava in consequence of the hostility manifested by the new King to all foreigners. It affords a full confirmation of all the rumours which have successively reached Calcutta, respecting the present position of affairs in that country, and shews the very precarious footing on which our relations stand. The new King does not disguise his hostile purposes; he openly announces his determination to consider all the engagements made with his predecessor as annulled by his accession. He has already proceeded to abrogate the treaty of Yandaboo; and that no doubt may exist regarding his intentions, he has dismissed Col. Burney, our Minister, from his court, and closed all intercourse with the British Government.

The provinces which were ceded to us by that treaty, are, therefore, no longer under the safeguard of public faith, but lie at the mercy of a faithless savage, who only waits for the period when his throne may be consolidated, and his resources collected, to pour the tide of desolation over them. The dismissal of the English Minister can be considered in no other light than as the first preliminary step to the hostile movement which he is preparing to make. More decisive demonstrations of hostility will, of course, depend upon the mode in which our Government may choose to regard this act. If it be viewed with indifference and passed over in silence, the King will necessarily consider the English as acting under the impulse of fear, and hasten his preparations for open war. Acting as barbarians always do, on the extreme verge of either haughtiness or servility, they are incapable of appreciating or even of understanding any motives which grow out of a dignified moderation. If our remonstrances be so firm and decisive as to convince His Majesty that we are not disposed tamely to submit to his insolence, it is possible that he may be kept for a time within bounds; though it is far more

probable, that in his present mood, flushed with success, and urged on the flatterers, our firmness may lead to immediate hostilities. It is in vain, therefore, to conceal from, ourselves the undeniable fact, that a second Burmese war is inevitable, if Tharawady continues on the throne. It may possibly be postponed for a year or two, but it cannot be averted.

There can be no doubt, that the violation on his part of one of the most important articles of the treaty, would amply justify a resort to arms, if remonstrance should fail to procure redress. We should be fully justified in unsheathing the sword in defence of our own subjects, and of the interests of our empire when they are menaced by a neighbour, who sets all obligations at defiance, and takes up an attitude incompatible with the safety of our own provinces. Neither can there be a doubt on the mind that, if we had been thus insulted by any chief or sovereign, within the limits of Hindoosthan, our troops would already have been on their march to his capital. The extravagant expenditure of the last Burmese war, however, naturally makes our Government pause, before they take a step which they cannot retrace, and which may bring a demand on our finances which shall embarrass them for years. How far their present forbearance is politically wise, time will speedily develop. There is a possibility that we may have occasion to regret, that the first act of bad faith on the part of the King, was not followed up by the most vigorous measures. Meanwhile, the position in which affairs stand is, perhaps, the most disadvantageous which can be imagined. The inconvenience arising from a constant apprehension of war, can be exceeded only by that of war itself. Our enemy has the opportunity of choosing his own time for commencing hostilities, and if he be wise, he will force us into the field at the beginning of the rains, when we are likely to lose more men by disease than by the sword. Our frontiers in Arracan, Sylhet, and Assam are exposed to sudden invasion, and the tenure by which the European officers stationed there hold life, is rendered distressingly precarious. With no Minister at the capital to watch the movements of the King, we are not certain from week to week that a barbarian host may not pour down upon these provinces, and for a time, wrest them from our hands. Nay, in the present posture of affairs, the metropolis of our power may a second time be thrown into consternation; and we may be again disgraced in the eyes of all India. All commercial transactions, moreover, connected with Burmah, are paralized by this uncertainty, and the progress of improvement is effectually checked in those provinces which are exposed to the inroads of our hollow ally. The sooner, therefore, this state of suspense can be brought to a termination, the better, for our funds, our credit, our subjects; and, we may add, for the subjects of the Burmese empire; if by amicable adjustment, so much the better; but if there be no mode of securing the blessings of peace and security, but by the medium of a war, then we must at once adopt this unpleasant alternative, taking care, however, that the war be at once brief and decisive, and that the next treaty we make shall make a third Burmese war all but impossible.—*Friend of India Nov. 9.*

To the Editors of the Friend of India.

My Dear Sirs,—As you take a warm interest in whatever relates to India, and the neighbouring states, I am induced to give you some account of affairs in Burmah. It would require too much space, and at this time would be unnecessary, to mention in detail, the circumstances connected with the late revolution, which has resulted in the entire overthrow of the old Government. When the revolution first broke out, and during its progress, even up to the time the gates of Ava were opened to the troops of Prince Tharawadi, public feeling ran strong in favour of the revolting Prince. He was supposed to be a persecuted man, struggling only to save the King and Royal family from a violent death, and the country from falling into the hands of an usurper. In Ava and the neighbouring towns this was fully believed, and the Prince had taken one of the most solemn oaths that a Burman can take, that he had no design against his brother, the King. At a distance, however, the Prince caused it to be reported that the King was dead, and summoned the people every where to join him in putting down the Queen's brother, who had usurped the throne (as he said). The troops called in by Government, supposing the King to be ignorant of the true state of things, either made only a show of fighting, or deserted to the Prince's side—there was no fighting—all on both sides, from the Prince down to the peasantry, shewed themselves to be dastardly cowards. The *Bomho* Prince who commanded one division of the King's army, is an exception—his conduct was officer-like. Through the mediation of Col. Burney, the gates of Ava were thrown open, and Prince Tharawadi came riding into power upon the top-most wave, and in violation of oaths and promises, dethroned the King, put the Princes under restraint, and threw all the members of the old Government into prison and loaded them with irons. Tortures, confiscations, and executions then began and proceeded rapidly. To have been employed in any way by the old Government, was a crime—to have property was a crime—it was the reign of terror—the most barbarous and revolting modes of destroying life were adopted. Col. Burney's presence and influence not only saved the city from being plundered and burnt to ashes, but the lives of hundreds who were attached to the old Government. The new King had hardly got possession of Ava, when he began to manifest an unkind feeling towards the English Government. On every occasion he spoke disparagingly of it. Whenever I called, which was not often, he was certain, by some method, to bring forward this subject,

sometimes gravely and sometimes humorously. On two different occasions, in the presence of his whole court, he spent an hour or more in explaining to me the character of the English Government in India. He was provokingly haughty—compared the Governor-General to one of his provincial officers—said he should have no intercourse with him. If the Governor-General wished to have any intercourse with Burmah, he must transact business with the Governor of Rangoon.

Several times I have been present when Col. Burney was conversing with the King. As a man he was treated kindly and with much respect, but as the representative of the English Government he was treated with indignity. Col. Burney, though firm, was mild and conciliating. He strove in every possible way to win over the King to a course of justice and humanity. He laboured unceasingly, and seemed willing to suffer almost any thing in his own person, in order to preserve peace and prevent any collision. I had not supposed any British officer would put up with so much. The King often avowed his design of pursuing the policy of Alompra—of removing all foreigners from the country, and breaking off all intercourse with the English. So much for Burman politics.

Our missionary operations are entirely broken up for the present. In this, as well as in every thing else, the new King has disappointed our fondest and reasonable hopes. Soon after His present Majesty came into power, he sent word, accompanied with a threat, to give up teaching the people, and in a few days after told me himself, that he could not allow us to distribute Christain books and teach the people, adding that he was now a King and must be obeyed. It was thought prudent to quit Ava and the church gathered there, until the country become settled. A war with the English was supposed to be inevitable by nearly every one, both foreigners and Burmans. If daily and open contempt of the English Government, and a declared opposition to all treaties, be any evidence of a hostile spirit, then the King has not been misunderstood.

Yours ever truly,

E. KINCAID.

Rangoon, Aug. 17, 1837.

[*Ibid.*

STATE TRIALS—ADDRESS TO THE CIVIL SERVICE.

Miser . . . ut vagum aut incertum.

The strange and anomalous proceedings that are going on at Hooghly almost under our eyes, and which are styled, in common conversation, of Mr. Charles Ray Martin, have suggested to me the utility of discussing the first principles on which the conduct of such state trials should be founded, and I am sorely much mistaken, if we shall not find, the farther we go in the examination, that every one principle of public justice and private right has been violated in order to reach a supposed delinquent. The formation of Courts of Enquiry into accusations against members of the Civil Service depends on R. XVII. of 1813. What has begun in enquiry has always ended in learning nothing so far as the public is concerned; no man since 1813 has ever heard of a *public* prosecution under Sec. XV. and, we believe, no man will ever live to see one. The custom has these conveniences, it enables the Government to punish the party accused, either in case the alleged delinquency be proved or in case it be not proved; it enables the Government to avoid resort to the laws of England which are the only laws applicable to such a case, and thus to avoid touching (what is in the eyes of Government) the accursed thing; it enables Government to punish without law by the exercise of a discretionary and, therefore, arbitrary power, by that power which is (according to the notions of this Government) inherent in all states, for such a power is necessary to preserve peace and *salus populi est suprema lex*; it enables the Government to demonstrate to its servants of all class s its possession of this power, and thence by the most forcible implication the superiority of the will of the rulers to all law and notably to the law of England, it enables the Government while it punishes the man to screen the Civil Servant from public exposure, and the system from examination, for though the fact of enquiry becomes public from an unavoidable necessity, yet the evidence does not, nor does the sentence; that is, if it be not an acquittal, for in *that* case, there would, most probably be seen a public announcement of the fact, if the individual were not held in distaste accompanied by a flourish of panegyrical epithets. Should the sentence not be an acquittal, (we use these terms for want of better, or, if any, applicable to such proceedings,) all the public would ever be able to guess about the matter, knowing nothing, would be that Mr. A. B. is a Civil Servant out of employ, who is punished with £360 a year and the full liberty to dispose of his own talents and time, and that knowledge he must needs have acquired in a service, which demands so much from its members, and abounds with first rate men more than any other I ever met with. Perhaps, some ill-natured President of the Board of Control, like Mr. Wynn, might think the case "*too bad*," and induce his Majesty to pass a warrant under his privy seal or sign manual, to prevent such an unemployed worthy from

ever being employed again; it matters not, public justice in such cases is very soon satisfied in India, and by the Directors, who, it must be acknowledged, are indulgent masters. Vindictive punishments are abhorred, the quantum necessary to deter offenders in like case has long been minimized by them, and the clemency reproducing-and-reintegrating-official-aptitude principle realized, and maximized

Many gentlemen in the Civil Service would suspect my seriousness, if I were to say, that the foregoing observations were meant in defence of the Civil Service, and yet I am very serious. I humbly conceive; that it is not good for any gentleman when accused, to be put out of the pale of any law, that it is not good for the Government when accused to be above every law; that last and not least it is very bad for the governed as well as the Civil Servant, that the only law for the Civil Servant when accused of something, which, if it be *crime*, must be a breach of some law, should be the equity and good conscience of the Governor-General, or his Secretary.

The Civil Service is a body of gentlemen, Lord Cornwallis made them so; they are also a body of citizens entrusted with high functions by Parliament, and more civic than ever they were formerly, since it has been declared by the last charter of freedom to India in the 87th section thereof, that no native of the said territories, nor any natural-born subject of his Majesty's resident therein, shall, by reason *only* of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office or employment under the said Company. They are likely by slow degrees, perhaps, but still certainly in the end to look less exclusively to the Court of Directors for promotion and reward, and the Court of Directors will look less exclusively to them. This body, which is now more bound to those whom they govern, *ought* to be disgusted at a system which prevents them when accused from obtaining the only reparation which men of honour can seek when accused falsely, a full acquittal by the laws, and by the judgment of their peers; at a system which sends them at the option of an official tool or master even of their own service,* to an inquisitorial tribunal composed exclusively of their own service to be accused before which is certain dishonour, and whose opinion cannot absolve from disgrace, should it be favorable. The respect for all tribunals is rooted in the belief of their impartiality, and that every human precaution has been taken that the scales of justice shall be held even. If this be the case in controversies between man and man, which concern only civil rights, how much more is there need to observe every rule of precaution which experience has demonstrated to be wise in all causes, in such trials as concern the acts of Government done by its servants? If the belief of guilt exist which sends the functionary to his trial, the more reason is there that a functionary who is a part of the government should not try him without seeking the aid of the countrymen of the accused in judgment, of a jury (special, if you will,) whose number would give a guarantee for impartiality. It is not fit, as it seems to me, that the conduct of Mr. Martin who has been put upon his trial by Government, should be tried by Mr. Bird, who has an appointment to Council in his pocket, and, how singular is it, that if the Government of Bengal or that of India be prosecutor (for we profess to know not which, in the former case there may be *one* or two prosecutors, in the latter, per chance half-a-dozen,) that one of the alleged crimes? faults? delinquencies? directions or violations of duty? what *shall* we call them, should be that Mr. Martin being the real plaintiff, was judge in his own cause; and, though a nominal party, prosecuted his own action in his own court. Who has put Mr. Martin in judgment? The Government. Who tries and judges him? The Government. Who is the Government? One, two, three men? Who are they, the Governor-General in Council or Secretaries? Who is his judge? By what law is he tried? By the law of the Government? Who pronounces that law, who expounds it, where is it to be found? In the breasts of the expositors, and the expositors are the Government Gentlemen of the Civil Service, and gentlemen you are, not merely by the courtesy of usage and of the term which may be had good cheap, but by the exercise of manly and civil virtues in an ungrateful soil, through all temptations with scarcely just encouragement. I ask you, and I am no enemy, (though I have been thought so) is it just to yourselves, is it just to the country that you should be thus penned within the pale of an exclusive and despotic discipline less defined than the military code, should be dependent ever, and practically outlawed in well-doing or in ill-doing? That every one of you should be dependent when accused on the Will of a superior who may not be the equal of the individual so marked out for judgment, who *cannot* be your lawful peer in judgment, when the offence imputed is committed by one of yourselves against those you govern, for, he cannot be impartial? For my own part, were I so accused, although, the care of honour dearer than life, might impel me to acknowledge the authority of a tribunal which had no legal authority, and my obedience to which could be enforced by no sanction but the base and sordid consideration that my salary was in the power of Government,—although I might, at the hazard of being supposed to be actuated solely by such concern, defend myself before such a tribunal, though if convicted by my own conscience, I might submit in silence or become a supplicant for that indulgence, which is rarely and in the long run, perhaps, never withheld to such supplicants, if I were held to be *acquitted* by its opinion, I would then appeal on behalf of my brethern and myself against the sentence of acquittal. I would urge, that I was branded by being brought before a tribunal to be

* Vide sec. VI. of Reg. XVII of 1813.

accused before which was shame, and from which there could be no absolution, and would pray for a trial that no men, however prejudiced, could deem intended to put a change on justice, or as a screen for guilt.

Your position, Gentlemen, as respects responsibility, is, what some among you may possibly deem (though I should think but few unless it be the very young) an uncommonly enviable one; the law has taken care of you—I do not mean Regulation law, or the laws of Munnoo or Mahomed, nor even the law of equity and good conscience, but the law of England has taken care of you, and has enacted as follows in the statute of the 21, Geo. the 2d, c 70, Sec. 24, 85, and 26:

"XXIV. *And, whereas, it is reasonable to render the provincial magistrates, as well natives as* British *subjects, more safe in the execution of their offices*, be it enacted, that no action for wrong or injury shall lie in the Supreme Court, against any person whatsoever exercising a judicial office in the country courts, for any judgment, decree, or order, of the said court, nor against any person for any act done by or in virtue of the order of the said court.

XXV. And be it further enacted, that in case of an information intended to be brought or moved for against any such officer or magistrate, for any corrupt act or acts, no rule or other process shall be made or issued thereon until notice be given to the said magistrate or officer, or left at his usual place of abode, in writing, signed by the party or his attorney, one month, if the person exercising such office shall reside within fifty miles of *Calcutta*, two months, if he shall reside beyond fifty miles, and three months, if he shall reside beyond one hundred miles from *Calcutta*, before the suing out or serving the same; in which notice the cause of complaint shall be fully and explicitly contained; nor shall any verdict be given against such magistrate, until it be proved on trial that such notice hath been given, and in default of such proof, a verdict with costs shall be given for the defendant.

XXVI. And be it further enacted, that no magistrate shall be liable, in any such case, to any personal caption or arrest, nor shall be obliged to put in bail, until he shall have declined to appear to answer after notice given as directed by this act, and service of the process directing his appearance by himself or his attorney."

You will perceive, therefore, that you may commit *mistakes* with impunity, and that it is for nothing but *corrupt* acts that you can be punished by any law that I know of. The case of Calder v. Halkett is a proof that you may, with impunity, imprison a man for an unreasonable period, when you have original authority to enquire into an alleged breach of the peace; the Ballygunge Tank Case is a proof that any one of you being a Justice of the Peace, (for otherwise you have no jurisdiction at all) may first summon one of your countrymen, as a justice of the peace, then swear that you meant to act as a *magistrate*, fine him for *forcibly not doing something* though your only jurisdiction is for positive assaults and trespasses committed by British subjects on natives, and the state shall uphold you because a non-compliance with the mandate of a magistrate founded on no law, and written in Persian or Bengallee, is an offence, and possibly a breach of the peace *within the territories of the East India Company* (so run our laws) which every state has inherent power to make a law on the instant—I beg pardon, which every magistrate has a right to make a law of occasion on the instant to punish. I forgot that I was speaking of a system which is much more prompt and energetic than that mass of gibberish and formality called the law of England, which is only suited to the people of England, who have hardly sense enough to make laws for their own guidance much less to govern distant nations, and who, if any amongst them be employed on such a difficult task, must be selected, as your judges here always will be, with the extremest caution, and every possible reference to fitness. The law of England, gentlemen, was long since found utterly unsuited to this country, no enlightened body has been half so penetrated with this truth as your own, and still it has been (quite unnecessarily) rather a bugbear to you, and the Government. Its defensive qualities and the amplitude of its statutory shield were not known to either of you as they deserved to be, or it known the usage of such defences was disclaimed as unnecessary. Mr. Sullivan's bill was intended to make a Supreme Court, of which the judges should be appointed by the Directors of the East India Company, in order to correct the enormities and oppressions of the Company's servants, (that was before Lord Cornwallis's time, gentlemen, the judges were, however, appointed by the crown) but it is evident from the result, that such a nomination was not required, the power of the state, which necessarily includes all power, must have all supremacy, besides the selection was so made that the first judges who were not pedants were knaves, and from the hour that Sir Elijah Impey became judge of the Sudder Dewany, Sir Robert Chambers went to administer law to Chandernagore, and the Directors were admitted into a political partnership with Pitt and Dundas, the spirit of the law of England was dead in India. The outward forms and semblance remained no doubt, and some might dream it could yet do battle; the Court was, however, like the knight of old in his harness

Andava combattando ed era morto.

The trappings and the harness and the steed gave the semblance of life and support to the carcase of the dead, the froward retention of custom, a latent jealousy of a corporation that might be formidable while comparatively independent and the fear in such case of submitting Englishmen without control to their domination while they were English merchants merely, supported an institution of which the

use was really gone. Now that they are English *statesmen* and the Whigs think they govern *them*—the case is entirely altered. At the æra of the new charter it was discovered by one of the oracles of this age, of whose fame as it is now in the keeping of posterity I shall not presume to speak, that Englishmen might be the more safely allowed to come hither to settle since they did not, he conceived, require protection in India, and the natives could be protected against them by the law of absolute discretion vested in the Government. As you, gentlemen of the civil service are without exception, I believe, Englishmen, you also have the full benefit of that law, which, I have no doubt, I shall live to see again and again, as I *have* seen it already the boast of freemen

We have the high authority of Dr. Johnson for laughing at the maxim contained in the verse.

Who rules o'er freemen should himself be free

In fact our daily experience of the due degree of subordination required among state-men when a great man governs, shews it to be a mere empty rhetorical foolery put into sounding verse. No great men are more sensible of this truth than Indian great men, Lord William Bentinck was very sensible of and his merit-fostering minute was a convance for restraining any propensity to independence which might peep out in what ought to be a thoroughly disciplined corps. You may recollect, gentlemen, that Sir Charles Metcalfe was pleased deliberately and in a grave state paper not merely to express as an opinion but to record as a fact that "THE RIGHT AND POWER OF THE STATE TO PROSTRATE BEFORE THE INDEPENDENCE OF THE JUDICIAL BRANCH OF THE SERVICE, and no doubt according to the new political philosophy by which politics have become an exact science and every thing can be conducted by short maxims this independence (assuming it to have been a fact) *was* an absurdity and a contradiction in terms, for as the *state* only can make laws, *so ought* the *state* only to control and direct their administration—but all this is changed now, and we are all on a level. The uncovenanted English as well as natives are subjected in all civil proceedings whatsoever, to the discretion of the service both native and English, and the service is subjected in criminal matters to the discretion of the state. Thus uniform simplicity, the prime element of greatness, is attained.

We may always expect great men as Governors of India, experience has shewn it and that is a good rule to go by though it has been said to be foolish to judge by the event. If we may not always look for as great men as Lord William Bentinck and Sir Charles Metcalfe, yet we may hope for great men of an average greatness among the rulers of the earth, besides were it not so they have Secretaries (who are very nearly great men) chosen for them, which is almost the same thing to a ruler, as being great himself. This profound remark, I beg leave to say with all candour, is not my own; it comes from a very great man too, no less a man than Machiavilli, who in the 22d chapter of that excellent much abused and extremely little read book THE PRINCE, treats expressly "of the Secretaries of Princes," and speaking of one who had chosen a very clever Secretary is pleased to express himself thus: which passage for fear of misconstructions, I think, I ought to leave in the obscurity of what in India may be termed a learned language, for every man to put his own construction upon. "Non era alcuno che conoscesse Messer Antonio da Venafro ... ministro di Pandolfo Petrucci principe di Siena, che non giudicasse Pandolfo essere pruncipalissimo uomo, avendo quello per suo ministro. Epperchè sono di tre generazioni cervelli: l'uno intende per se, l'altro intende quando altri gli mostra, il terzo non intende nè per se stesso nè per dimostrazione d'altri. Quel primo è eccellentissimo, il secondo eccellente, &c. &c. We may always expect therefore as greatness is rarely met by laws in India, that the wise and simple maxims which require absolute deference on *persons* in power will be observed in enforcing the due responsibility which ought to accrue upon the servants of Government. It will always in all human probability be the best of governments a mild and paternal sway, unfettered by rule, and administered by an enlightened and courteous despot. Such service will indeed be perfect freedom for it to the well judging and assiduous "love will be liberty and nature law." Great wits jump, and it is rare in these days to discover any thing absolutely new in law any more than in any other subject on which the thoughts of men have been long exercised. While reading the other day in the *Quarterly Review* of the work of M. Le Baron Pelet (de la Lozere) Membre de la Chambre des Deputes, entitled "*the opinions of Napoleon on various subjects and the administration of public affairs collected by a member of his Council of State*" I came to the following passage, which contains a record of the opinion of confessedly a very great man on a very similar subject to that which I have ventured to treat of: —

"The *gendarmerie* requires the protection of exceptional tribunals against the partialities of juries, but until we can establish special courts to protect the *gendarmerie*, might we not establish that, in every case in which a ——— is implicated, the jury might be composed of *gendarmes?* (A laugh.)" The laugh shewed the uselessness of a Council to a really great man, and may have crippled in execution a very bold and happy thought; for, it is certain, that in the CODE NAPOLLON we do not find it set down, that gendarmes are to be tried by juries of gendarmes for alleged offences against citizens. The realization of so excellent a thought is probably reserved for another code which, from its forerunners and feelers, we may think, lingers too long from the light, in the bureaux which cradle its infancy.

The existence of military Courts of Enquiry has been urged to me in conversation as a case in point, and as a justification of a civil Court of Enquiry on a judge accused of breach of trust and corruption; for the general man in question is accused, among other things, of having decided a cause in which he had a pecuniary interest and was the real plaintiff, by the contrivance of using another man's name as the apparent plaintiff. This parallel, after every effort at a candid examination, I am compelled to say, is altogether imperfect. If the offences committed by officers and soldiers against the persons or property of citizens not being officers or soldiers were to be enquired of exclusively by a Court composed exclusively of officers or soldiers, the parallel would be complete. We may reach this perfection of legislation in time, for which I am quite prepared; I may observe, in the meanwhile, that the real justification of such a proceeding is to be found in its convenience. Law is expensive, not flexible, often incorrect and unsuited to the case, and the forms of civil Courts troublesome; to these Courts, therefore, chosen by the state, and duly constituted by it, to make it in each case, would be in effect merely to carry out the grand principle of utility; that is the getting to your own ends (the trouble certain in this case being to do justice towards a public offender,) by the shortest way, and the directest methods. This is the age of Government on principle, and I can see no objection, logically speaking, between the trial of a civil functionary appointed by the state, by another civil functionary, chosen merely to try him and made a Judge for that sole purpose, the crime alleged being an offence against a subject of the state, not a functionary, and the trial of a military functionary for a similar offence against a subject not a soldier, by a body of Judges chosen for the occasion. Both are crimes against the state, and the state here is considered to be the East India Company, and we are within its territories. The employment of a single Judge is an obvious improvement on military practice, which, in the number of Judges required, smacks of old Saxon barbarity. The responsibility in the modern way is undivided, and the motives to exertion in the mere duty business of the state, when that business is a special Commission to try a man accused as a public criminal, are evidently maximized.

Although, on the whole, no doubt, the case has been extremely well weighed by the wisdom of Government, and the best possible plan suited to its views adopted, yet there are a few inconveniences, which, I have ventured, in the earlier part of this letter to enlarge upon: I will add one or two more which have occurred to me, though they are of so technical a nature, that I fear they will only excite a smile among statesmen. This Court of Enquiry, after every thing said, though doubtless a very fit and proper Court, and having all sorts of due sanction, is not, according to the Law of England, any Court at all; yet, it administers oaths, as I am credibly informed. This is very proper, but it is to be lamented, that more care has not been taken to bring Courts that are such near neighbours into more amity with each other. No doubt, a man convicted of perjury and unpunished, would now be a very competent witness, if it were a judicial proceeding in the Supreme Court, thanks to the latest reform in that regard made by our new Laws, while the defendant in Mr. Martin's suit, said to have been decided by himself, who expected to get rid of the judgment, would not; nor would a man who had undertaken from the best motives to pay the costs of the prosecution out of his own pocket. Such a one could not be a witness in the Supreme Court, while he could, as I presume, be a witness in any event before the Court of Enquiry, which is therefore so far superior; both, however, should be brought into agreement, and our Law made to conform to the superior wisdom of the Mofussil. I shall advert to another inconvenience in this place. Legal oaths administered in a matter not judicial, are merely nugatory by the English law; an Englishman, therefore, who perjures himself before the Court of Enquiry, could not be punished at all, (unless it were by the inherent power of the state to punish crime, of which new principle I am beginning to feel a very salutary awe,) but I shall assume in the absence of all Indian precedent, which goes so far that, what is law in that matter in England, is yet the law here as far as it regards ourselves: but, I see by Reg. XVII. of 1817, that if a native committed perjury before the Court of Enquiry analogously, he could, and would, be punished, and soundly punished too, by Mofussil law. Now, it is an inconvenience that the Court should not be able to convict Mr. M. of a crime, but should yet be able to convict of perjury a man who should falsely, wilfully, knowingly and corruptly swear Mr. M. had committed that act with which he is not even charged as a crime, and which the Court could not pronounce to be a crime, but of which the Court enquires. In conclusion, I beg to be forgiven, if I have not treated of this subject with a full appreciation of the merits of the system of law and judicature, under which I am living doubt, it may soon be my business to live, and which my children will learn from me to reverence; but, something must be allowed to the prejudices of early education in opposite principles which are old errors, and the want of alacrity, with which grown-men are put through the discipline of a new system, however simple and energetic. The Romans made their provincial subjects Roman citizens and taught, when they could teach them, the Roman laws as well as the language of Romans, or the educated provincials taught their less enlightened neighbours.

"Galliacæsa-dcos docuit fecunda Britannos."

We who have grown older in wisdom and have to deal with a people whose civilization is earlier than our own, and learning laws from maxims long in practice with them, and

with which our rules are fortunately imbued, we are beginning to coalesce; having learned in the east from my masters the doctrine of equality, I am taking lessons from a pundit in the new principles of the code of India. This pundit has just taught me, that an error in judgment is a crime.

I am, Gentlemen, your obedient servant,

A LAWYER.

Hurkaru, Oct. 3.]

THE HINDU.

No. 16.

I believe it was the opinion of the ancients that,

Dreams descend from Jove,

and are the presages of events which are soon to occur. The Hindoos labour under a similar misconception, and attach great importance to what they dream of. Some of the Brahmins pretend to be *profound oneirocritics*, and would interpret any dream however mysterious it may be. The Hindoos have a work called *Suppnaday*, which is said to contain a very lucid exposition (in the shape of a dialogue) of the *true theories* that have been formed on this subject. It is not necessary to review this *Book of Revelation*, or enter into its merits; suffice it to say, that the explanations and observations offered therein for information of all dreamers, are entirely built on gratuitous assumptions and are perfectly chimerical. It has been inculcated by the Brahmins, and is strongly believed by the bigotted natives, that whenever we dream of weltering in blood, moving amongst dead bodies, or of some disastrous circumstances concerning our interest, we are sure to gain something in some way or other. But if we dream of our prosperity, happiness, and success in any undertaking, it would be productive of *maximization* of pain, and *minimization* of pleasure. The earth, the sky, and the nether world are full of gods and goddesses invisible to mortal eye. But if they wish to divulge any secret to a man, or desire him to execute any order, they always appear before him to do so, when "nature's soft nurse" has closed his eyelids. Many of the deities are said to have visited several persons during their sleep, and desired them to perform tasks which have proved beneficial to them. The pious and the religious, whose thoughts are always directed to the contemplation of the power, wisdom, and goodness of *Deras*, boast of hearing their awful word in their *lulling state* much oftener than any other class of persons. Instances are recorded in our sacred works of some virtuous individuals having received directions in their dreams to find out *treasures* buried in the earth, as also to better their *worldly* situations by the adoption of means foretold at the same time. Dreams, therefore, are neither the "relaxations and amusements of the soul," when the operation of our faculties is suspended, nor the operation of faculties is suspended, nor the gentle whisperings and wooings, of "*Queen Mab*" galloping through our noses and brains. They are considered as the voice of *celestial powers* and the precursers of our fates. Our joys and sorrows, our smiles and tears are supposed to be in a great measure dependent upon them, and it is for this purpose that their solution is so often required, even at the sacrifice of some money.

Nasta Chundra.—The Brahmins have opined that once a year the moon becomes contaminated, and those that see her in that sate, cannot but spread their own infamy in the world. We are really at a loss to fathom why it should be so. The only proof which is adduced in support of this doctrine is, a tale of *Vaharawout*, which must be told here to trace the origin of such a dogma.

In the *dwapur yug*, *Suttrajit* rajah had received a *muni* (a most precious gem,) from *Surjah*, which he was requested to present to *Krishna* by some relation of the latter God. The rajah did not like to part with this *inestimable divine gift*. A few days after, *Prosaun*, (the younger brother of *Suttrajit*) went into a forest one evening with *muni* blazing on his neck, in an equestrian habit, on a hunting excursion. The surrounding field and meadows were glowing with the mellowed tints of the setting sun, the air was cool and refreshing, the bleating animals were here and there browsing on the luxuriant blades of grass full of animation and alacrity, and the silence that had prevailed in these solitudes impressed upon them a degree of solemity, which was now and then disturbed by the rustlings of leaves. Delighted with this scenery, *Prosaun* plunged himself more and more into interminable thickets and dreary *jungles* to feast his imagination on rural sights and beauties, when a lion that was lying beneath the umbrage of a cluster of trees, swelling with rage and lashing its sides with the tail, sprang upon the young rajah and destroyed him and his steed. The *muni* was so very bright and splendid that the lion did not know what to do with it. It sometimes graced its own neck with this admirable booty and sometimes laid it on the ground; meanwhile, *Jaumboobawn*, the chief of the bears, was passing by that way; the splendour of the gem arrested his sight, in the course of a few minutes he appeared before the lion, and, after a dreadful fight, killed his antagonist, and went into Patal (another world) with the *muni*.

Days after days rolled away, and *Suttrajit* was overwhelmed with grief in consequence

of his brother's long absence. Every one began to harbour suspicions of *Krishna's* having laid a bloody hand *on him*, on account of the *muni* for which he had before expressed a wish, and this rumour became at last so prevalent in every part of the city, that *he* was thought the real murderer and the robber of the *gem*. Disgusted with such scandalous reports, the bold God sallied forth from home and entered into a forest. After considerable rambling he came in sight of the mangled carcas of *Prosaun*, his horse, and that of the lion. But seeing not the *muni*, he ceased not from journeying till he neared a subterraneous passage. Scarce had he directed his steps into this dismal abode, when a beauteous young girl was seen playing with that *precious* treasure. Intimation was instantly given to *Jaumboobaun* of *Khishna's* arrival in his dominion for the *muni*, with which he being not willing to part, a battle took place between the two heroes; but the *lord of bears* knowing afterwards who his enemy was, prostrated himself at his feet, married his daughter *Jaumboobulla* to him, and gave him the *muni*.

Now Khrishna returned to his native country with his "bonny bride" and the *muni*, for the loss of which he had to suffer every discredit and disgrace. An account of *Prosaun's* death and of the recovery of *muni* being given, the doubts and suspicions of all the people were now entirely silenced, and the worthy God began again to enjoy an unblemished reputation.

* * * * *

* * * * *

It has been determined by our sages, that this false stigma on *Krishna's* character was occasioned in consequence of his having seen the *Nustachundra*, or the contaminated moon of a certain night of *Bhaddur*, and the Brahmins have jumped to a conclusion from this story, that none should behold the moon when she becomes *Nusta*, or polluted, according to their astrological calculations.

On the night of *Nustachundra*, the Hindoos snugly shut their doors, venetians, and *jill melli*, and never lift their eyes towards the sky, lest the sight of the moon might drown their names in a sea of infamy. Should any one in spite of this precaution happen to glance at her silvery face, he is advised to eat a little cocoanaut and *tal*, or hear the legend of *Prosaun* and the *muni*. This is the only way to guard against calumny, and prevent the dissemination of reports tending to injure one's character!!!

Follies in eating, shaving, sleeping, &c.—Those that profess strict adherence to the *Brahmanical creed*, are obliged to act in conformity with several rules and regulations which have been enacted respecting matters of eating, shaving, sleeping, &c. At the time of taking any thing the fathers never sit towards the northern side, nor can the sons and daughters have courage to sit towards the southern side, the former thinking that doing otherwise would tend to shorten the lives of their children, and the latter trembling with fear lest they might incur the guilt of parricide on account of any deviation from this much revered practice. Our astronomers have invented sixteen designations for all the days of the month, conveying an idea of the phases of the moon, and in consequence of these names of the days being derived from *lunar phenomena*, they had called forth at one time the stupendous abilities of our sages and *pundits* for coming to a decision as to what steps ought to be adopted, in order to guard against all sorts of mischiefs, evils, and untoward circumstances, and the following *deontological table, relative to the philosophy of eating*, has after an infinite deal of reflexion, cogitation and ransacking of brain, emanated from their *gigantic heads*, and is promulgated every year in the *Bengallee* almanacs for general information and guidance. "On the *pritipat* (first day of the new or full moon) tasting *koomra* (a sort of pumkin) conduces to loss of money. Taking simples and drugs on the *dittay* deprives our voice of its harmony. *Pouls* eaten on the *titeay* increase our crimes. Radishes eaten on the *chotoorthee*, make us suffer losses. *Bells* eaten on the *ponchoome* spread our infamy. *Neem* tasted on the *sostee* makes us animals in the next life. *Tals* (merits of palm tree) eaten on the *soctoomee*, shorten the period of our lives. Cocoanut water drunk on the *ostoomee* makes us *great blockheads*. Pumkins on the *nobomee* possess the qualities of beef. *Calmee saug* (a sort of pot herb) eaten on the *dossomee* is as great a sin as murdering cows. *Seems* (bean) eaten on the *aka dossee* tends to increase our guilt. *Pore saug* eaten on the *dwa dossee* is as great a sin as murdering Brahmins. *Bagoons* (brinjals) eaten on the *tria dossee* affect the longevity of our sons. *Mauseelace* eaten on the *chotur dossee* makes valetudinarians. Flesh on the *Amabossay* and *poornermah*, should never be eaten, and tasting burnt vegetables, or burnt fishes on Thursdays and Fridays, is pregnant with bad consequences."

But here the prohibitions do not end. In brass pots cocoanut water is never to be drunk, for the moment this beverage is poured into such pots, it becomes cow's flesh, the very mention of which should make every native spit and ejaculate *Mohaurut Manauaurut!!!* Radishes after *Pouse*, pumkins in the month of *Bhaddur*, milk mixed with salt and gee, after eating, are all as impure as beefsteak. Gaping after dinners and suppers is said to transport the quantity of meal taken into a dog's belly; drinking water in a standing posture is not considered very prudent, it being the opinion of some old dames that the water thus drunk eventually runs into the mouths of the ghosts of such persons as commit suicide.

Some of the bigotted natives before beginning to eat, "take a little water in the hollow of their right hands, and bring it in contact with their tongues, uttering at the same time a *sloke*, meaning "I am going to quaff the drafts

of immortality," and also the word "*Joy Jonadhun*" for rendering them *khanah* quite palatable and delicious. As soon as their appetite is satisfied, they stroke their bellies, crying *Bolthee ro Batabee*, to promote the digestion of food and prevent ill *bowel* complaints. *Bitabee* and *Hillal* were two giants. Bitabee lived always in the shape of a ram, and was sacrificed for the entertainment of his brother's (*Hillal's*) guests. When the pleasures of hospitality were over, *Hilal* roared *Batabeeo ro Batabee*," at which the bleating animal used to rend the bellies of those who eat him and appear in his original form. In this manner numbers of mortals had been destroyed; but when it was brought to the notice of a *Moni*, he repaired to *Hillal's* place, took the mutton chops, and digested the meat at once by dint of his supernatural powers. In vain did the giant now cry "*Batabeeo Batabee*." A check was from that time put against his cruelties, and the *Moni* enjoined that all persons should after their dinners and suppers stroke their bellies and utter "*Batabee ro Batabee*," in order to guard against indigestion."

The Hindoos would never shave every day. Shaving on Thursdays tends to injure their respectability and darken their glory; on Fridays, shortens the lives of their sons, and on Saturdays, produces innumerable evils. When the Bramins are on the same *musaud*, the Soodras think it a great sin to use water in cutting their nails.

Before the bigotted Hindoos close their eyes, they recite a *sloke* (a translation of which is here subjoined) to prevent the entrance and the poisonous attacks of serpents in the curtain. "Oh *Monsha Deve*, (Goddess of serpents) mother of *Ostee Nasa*, daughter of *Bassooke*, wife of *Jorat Kaur*, my salutations to thee." After this, some of them say, "*Soeja nar dalo lavo*" (to sleep is to gain a lotus). In a bed, placing one's head on the northern or western side, is productive of dangers and losses.

At the time of rubbing oil, the pious natives throw three drops of it on the ground to mitigate the burning of the sole of *Oosothama*—a surviving hero of *Kura Pandab War*. After bathing, new clothes are never put on, unless a little of *dall* or gram is chewed. Independent of what has been enumerated above, a great many more absurd practises, observed in the *common functions of life*, can be noticed, if I take a little trouble to collect them. But from what has already been delineated, it is abundantly manifest that superstition is still playing in all its forms in this long-benighted land, and we know of nothing so effectual in checking her progress—so efficacious in wiping of such disgraces of the country—so conducive to the subversion of dogmas and prejudices as the cultivation of learning and the diffusion of education in every part of Hindoostan.

No. 17.

Before I bid my readers farewell, I should like to offer a short sketch of the different *poojahs* performed by the Hindoos during the year, for though this portion of my theme may not be very entertaining to the residents of this place, and to such as are already conversant with our domestic manners and *shaster*, it would scarcely fail to prove an *idle* amusement to many a foreigner in their *idle* hours. We find that in every month the Hindoos observe some religious rites or other, under a deep impression that it would conduce to their eternal welfare and happiness and there is nothing in the world that can dissuade them from lavishing their money in the furtherance of this object.

In *Bysack* a great quantity of *chunnun* (prepared by rubbing a piece of sandal wood on a stone) being dedicated one day to *Krishna*, the devotees put it on their bodies, as a sacred perfumery owing to its having entered the nostrils of that deity. The ceremony is called *chunan jattra*. The same God is also worshipped on a moonlight night with "Radhika fair," both swinging on *dolahs*, while heaps of flowers are scattered around them, and enthusiastic shouts of piety pervade the place. The designation of this *poojah is, jull dole*.

In *Jaister*, *stan jattrah*, or the bathing of *thakoors*, takes place.

In *Nuddea* (the seat of *Jaggurnauth*, opposite to *Tittaghur*) a great *mela* is held on this occasion. The Barrackpore road is thickly crowded for two days exclusively with a motley crowd of pedestrians, and an endless number of rattling vehicles; all marching to witness the bathing of *Jaggurnauth*, while the richer classes of natives hire new-painted *budgerows* on the preceding night, load them with creatures of a *fairy mould*, and taking with them also a few songsters and musicians, proceed to the spot of pilgrimage in an ostentatious style.

The illumination of *budgerows*, the calm and unclouded aspect of the sky, the benefit and bewitching smiles of *chundra*, the flowers of refreshing gales kissing the "glad waters" of the Ganges; the war of "puns and punsters;" of the rival trippers, and the animated song and dance of the *Bhukoobazar Cyprians*, decked in "barbaric pearls and gold," not only render the whole night a continuous scene of merriment and festivity, but excite the "jovial Baboos" and their comrades to practise every *lascivious trick*, and lose all regard for *decency*, *shame* and *character*. It is really a disgrace to the orthodox natives that they should countenance such immoral usages even on the bosom of the holy river, whose drop of water is esteemed as precious as life, and on occasions of being absorbed in the solemnities of religion.

On the next day people of very description throng the *Mundeer* of *Juggernath*. The bathing generally takes place at a late hour, and

notwithstanding the intense heat of the sun, the flow of perspiration, the stink of tattered habiliments worn by the lower orders of spectators, and the entire absence of umbrellas, the very sight of which irritates the young priests to fling brick bats against those that seek their umbrage. Nay, at the sacrifice of every physical comfort, the fanatics rush upon each other and rend the place with the obstreperous cries of "*Joy Juggernath! Joy Juggernath!*" until the ceremony is concluded.

There is another purab in this month called *Dosshara*, when every one must bathe in the Ganges, and adore her with a variety of fruits and sweetmeats. Should it not rain on the day of *Dosshara*, the serpents would be more venomous, and in order to guard against their biting and all such dangers, the natives chew after their bathing a little of *whoorcha*, lemon, *cowrucha*, and *mossoorder dall*. Most of the Hindoo families abstain from taking rice and fish on this occasion.

In *Assar*, the celebration of *Ruth-juttra* takes place. Those for whose benefit Raths are made and dedicated to Gods, must have them drawn either in the compounds of their own houses or public roads for twelve years successively, after which period they may be disposed of to the Brahmins. All Raths are paraded twice every year, attended by a procession of *khole* and *Jurtal* beaters, whose howling *sunghirtun*, however ludicrous and unpleasant it may be to refined ears, is fertile in springing religious emotions in the heart of every *Bustome*. In *Mo-acc* and *Skrikhetho*, the exhibition is said to be much more grand and ostentatious, sacred as those places are reckoned, being the favorite abodes of *Juggernath*, and people from every part of Calcutta resort there at this time.

In *Srabon*, *Jhoolun Juttra*, the swinging of Gods and Goddesses, is effected. Krishna was very fond of this diversion, when he was the lord of sixteen hundred blooming damsels of *Brindabone*. The tumasha is continued for three days and nights, when groups of *muslined Baboos*, with garlands of flowers on their necks, lips and teeth touched with a gloss of *meccee*,* and perfumery flying from their *chadhurs*, perambulate the streets to make *dumb religion*" a cloak for their inordinate indulgence in voluptuous songs and immoderate gratification of their sensual appetite.

During the month of *Bhaddar* the Hindoos offer every day teel and Ganga water to the souls of their fourteen deceased ancestors, for the purpose of augmenting their celestial enjoyments. The ceremony is called *tappone*.

In order to gain the *golden* smiles of fortune and be happy in after life, a *broto*, called *Ounnto Broto*, is performed in this month. The Brahmins avail themselves of this opportunity to rob their *jodgemans* of a few rupees and different sorts of eatables, for which they make them repeat some *munters* in return.

On the last day of this month all the braziers, carpenters and smiths collect the respective implements of trade in a corner of their shops and worship *Biscurma*, the God of all mechanical arts, under an impression of thriving in their professions with his care and kindness. On the same day the natives busy themselves in the pleasures of *Ahaundo*, or eating with a great many curries *the rice* dressed on the preceding night and kept in water for converting it into a sour article of their repast. This is done, I believe, in honor to *Momeshaw*, the Goddess of serpents.

According to *Srimut Vaughut* Krishna was born on a very dark night in *Bhaddar*. The Hindoo females anxious to make themselves dear to the God, fast on every anniversary of his birth day, and at night hear the story of his incarnation to the family of *Bosoo Deb*. This purub is denominated *Jurmo Ostomee*. On the next day, gangs of persons representing the characters of milk maids, songsters, *hijras* (hermaphrodites, who are notoriously known to sing and dance on the birth of children) *Brojobasees*, &c., daubed with turmeric powder (an indication of inward impurity) are to be seen in the roads bawling and howling to excite the hilarity of the mob, and impress on their minds the manners and customs of the people of *Mathoora*, when Krishna was born there.

During the months of *Assin* and *Kartic*, no less than five *poojahs* of a very conspicuous nature are celebrated. They are designated *Doorgah Lucke*, *Shama*, *Jogodhatree*, and *Cartic*. In the *treta yug*, Rama introduced the *Doorgah Poojah* among mankind. It was done for the purpose of destroying *Ravona*, who had carried away his wife by force. The image, which is formed of this goddess, for worshipping her, combines every feature of fierceness and terror. In ancient times, when the giant *Moyssoor* (the offspring of a *most reverend Mont* and a she buffalo) began to exercise his oppression and cruelty in every part of the world, and encroach "on the powers and dominions" of the "deities of heaven," it was *Doorgah* that had the blockness to face that monster of iniquity, standing on her furious lion, waving dreadful missile weapons in her ten hands, and accompanied by her two brave sons *Kartic* and *Gonesh*, (the former bestriding a peacock, and the latter a big mouse) and *Lucksmi* and *Sorusottie*, glancing on the night lotuses. The battle was fought by both parties with unprecedented courage and intrepidity, and terminated in the destruction of the giant. Such being the magnanimity of *Bhuggobutty*, it has been thought proper to adore her, and her attendants in this very martial character, that the world might be easily convinced of her uncommon heroism and omnipotency.

A few days before the commencement of the *poojah*, the dull, monotonous aspect of Calcutta fades away, and the shouts of alacrity and the *buzz of business* pervade all its quarters.

* Missee is an astringent black powder.

The smiths and braziers become so roused to overwhelm their customers with an extraordinary supply of gold, silver, and pewter ornaments, brass plates, &c., that the clang of their anvils, the clash of their hammers, and the groans of their bellows are heard every minute. The *Moyrahs* and *Bhooree Wallahs*, ambitious of manufacturing superior *sundesses* and *julpaynes* for consignment to *stomach*, roast themselves day and night in an unextinguished blaze of fire, which so much envelopes their wasp-frequented abodes in thick volumes of smoke, that the very eyes of the inmates get veiled in a sort of "dim suffusion" when they "roll in vain" to examine the composition of the different ingredients boiling in *khoolis*

——— yet not the more
Cease they to wander where the sugar planters haunt,
Sudder, Mofussil, or noisy marts,
Smit with the love of charming money.

The *Halooee Khurs*, certain of effecting an extensive sale, display in their decent illuminated *dokhauns* ranges of *mutuhee* and *burfee*, glistening with a bright diversified hue, and dressed with every attention to neety and taste The two side of public roads become swarmed with baskets, containing varieties of fruits and vegetables. People of every description and denomination are to be found in all the *hauts* and *bazars*; some making most obstreperous cries for reduction and *dustooree*, some looking quite perplexed with the bustle of shops and shopping; some suffering the contumely and insolency of shoemakers, and *Dacca clothes sellers* for returning them things after the *jacur* time; some folding their hands and caressing the beards of *dokandars* for a favourable bargain, while others skampering in a chukle of delight from the hum of men with sweetmeats and fancy articles in their hands, to enjoy the rusticity of their own villages and home. The approach of this poojah thrills thousands of raptures in the heart of every Hindu. This is the time when presents of sweetmeats, clothes, &c. flow from one house to another; when the pleasures of sociality and friendship are tasted to the very brim—when the long separated husbands clasp their dearest wives with every affection and love—when the children of different families, attired in grotesque habiliments, with stripes of lace shining here and there, are sent round to each other for pusposes of mutual invitation and reciprocation of courtesies; and, in fact, whatever tends to bind the whole with one tie of fraternization is attempted and attended to at this happy period of the year. The poojah is kept up three days; during which time both the males and females endeavour to enhance their external beauty, and like nothing so much as jest, hilarity, song and dance. Some of the families entertain *kangalees* much on this occasion, and sacrifice buffaloes, goats, rams, pumkins, cucumbers, sugar canes and human forms made of pounded rice or congealed milk before the goddess. The *Rustoms* never allow any animal to be sacrificed in their houses, but the Saktoes are people of a quite different disposition, and bawl and dance, and daub blood on their bodies after the conclusion of *boleedan* On the first day the Goddess Doorgah is invoked by dint of *muntwas*, when she is said to appear, in an invisible shape before her worshippers and resides in the image intended for her. A great quantity of rice, gram, *gue*, *sundesses*, *meetayees*, *shuburts*, and such other delicious dainties is then offered to her, day and night during her stay in Hindoostan, or in other words "*three days and three nights.*"

On the fourth day all the streets and terraces of Calcutta present a regular pavement of heads. Procession after procession moves towards the river, and the beating of *dholes*, the rattling of *tasahs*, the attitudinizing of *juggojumps*, dressed in a most fantastic style, the array of *burkundazes* and *sepoys*, armed with clubs and bayonets, added to the tumultousness of the mob, produce a sort of *Babel* confusion in the Native part of the town. The scenery of *zenana* of every house is attractive at this time to every spectator A bevy of beauty wrapt in richest clothes and a profusion of gems is to be seen, peeping through partially opened jillmills and grated windows, and brightening up sometimes with blushes when looked upon askance by any passenger. The idols of families are taken on board the *slopes*, and are generally throwa in the middle of the river, letting at the same minute two or three *nilkunt* birds fly, which diversion is thought productive of infinite good.

When the glorious orb glides down the western horizon, the worshippers return home after destroying Doorgah, accompanied by their *poorohits*, who bring along with them a pot of Ganges water, with a twig of *koroopee* tree immersed therein. On reaching the place where the poojah took place, the *poorohit* mutters and besprinkles the water of the pot by the twig on the heads of all the members of the family, who sit around covering their legs with clothes for the purpose, and as soon as the observance of this usage, which is said to conduce to their prosperity and happiness, is over, they scribble on small slips of plantain leaves the name of *Doorgah*, and embrace with each other full of joy and smiles. The young bow down to the old and the old heap upon the young benedictions by saying "May you be a Rajah, may you live long, may you have a golden inkstand and pen!!!" The females, desirous of cultivating and preserving friendship, with all put small bits of sweetmeats in the mouth of every member of their family, while the ceremony of hugging, and blessing continues. So sweetening palates they apprehend prevents all gall and produces love, harmony, peace and tranquillity. To attain a sweet end, the application of sweetmeats is therefore necessary!!!

At nine or ten P.M., when "the toil and trouble" of the poojah is over, and the Baboos fatigued with the hard labour of "three days and nights" recline on their elevated *guddies*,

many a profound *Buttachargo* " with spectacles on nose and pouch on side" are apt to moralize somewhat in this way :—" Oh, the world, created out of delusions, to-day we laugh, to-morrow we weep Nothing is stationery. See the goddess adorned our Baboo's da'hlaun these three days, but to-night her divine image is no longer to be seen. Our own life is wavering every minute, and we all one day shall be quite extinct. This is all *Buggobaun's* wish ! !!"

No. 18.

Lucki, or the goddess of fortune, is worshipped on the fifth night after Doorgah "leave the world to darkness," on account of her returning to the blessed regions of *Kylas*. It is usual to drink cocoanuts, and, if possible, to refrain from sleeping altogether on this occasion, as the goddess is said to wander from one house to another, crying " who wakes on such a beautiful night! Sleeping being therefore highly repugnant to *Lucki's* taste and liking, for well might she sing with Thomson.

Is there aught
In sleep that can charm the wise?

The *sagacious* Hindoos generally engage themselves during her residence in the earth in some sort of revelry or other, bidding defiance to the lulling charms of *Morpheus*, and endeavouring not to close their eyelids until the morning appears. This poojah lasts but a single night, and on the next day, this bounteous goddess, on whose benign smiles depends our aggrandizement, and rise in the world, or to interpret the belief of my countrymen, the rapid accumulation of *rupees, annas and pies* without any exertions of our own, is drowned in the river, which is supposed to mean her departure for a short time.

In the image of *Shama*, fierceness, horror, and fury are blended together. She is of a very black color, and is represented in a standing posture on the breast of her husband, *Shiva*, with her bloody tongue quivering with wrath, dishevelled locks flung behind in a wild profusion, numbers of slain heads hanging round her neck, and daggers and javelins glittering in her hands. In this dreadful shape she is said have destroyed *Sumboo Nisumboo* and *Roctobeej*, the most powerful giants of the *sutto yug*, which event has been ably chronicled by an Indian bard, in the shape of an epic poem, called *Chundee*, and which is recited with no little animation and enthusiasm at the time of *Doorgah poojah* by the *sapient*.

Bhuttachargees.—Shamah poojah is celebrated to commemorate the extraordinary bravery and wonderful might of *Shama* or *Kali*. It takes place on a very dark night, and many a goat ram, and buffalo are sacrificed before her The place where the goddess is adored is purified with cow dung, and filled with rice, *ghee* fruits of different sorts, sweetmeats and *mataees* Some of the rich natives give to the goddess gold ornaments, which eventually go into the pockets of the Brahmins. This poojah lasts also one night, and the goddess is drowned in the river the next day.

On the day of this poojah the Hindoos, who are proverbially a dirty set of people, clean their houses and suffer not a speck of dirt to be near them. The females generally fast, and make, on small sections of plantain tices, froms of *Luchme* and *Ah Luchme* (Godoess of poverty and misery) of pounded rice, lamp-black and turmeric powder, which are kept in a room, the floor of which exhibiting a portraiture of flowers, thrones, legs, &c. decked out by *gentle fingers* with the white of *peetolee*. As soon as the bright *sooruh* beings to glimmer and glide down to his occidental couch, the *geernee** of every family collects around her all the women and children of the house and assuming a degree of importance and an air of superiority in her gait, mutters the following tale, inculcating the necessity of imbibing habits of cleanliness and illustrative of the danger of accumulating filth in dwelling houses.

"In days of yore there lived a *Brahmin* and *Brahmoni*† in a hamlet. They were very poor and extremely unclean. In every corner of their cottage heaps of dust, soot, straw and decayed vegetables had gathered, but neither of them ever thought of removing them. The *Brahmni* never cut her nails nor painted her feet with the red streakes of *alta*. One evening of *Shamah poojah* the *Brahmin* having received nothing from his neighbours, was returning home with a few betels in his mouth and betel-nuts in hand after a fatiguing round: a tangled wood lay across his way. When he reached it, a huge female form of a most frisly, aspect, appeared before him, crying, *' With betelnuts in hand, betel in mouth, wither lost thou stray Brahmun thakoor ! Tell Coonee, Boonee has been blessed with a son ! '* This terrified the Brachmin so much that he fell entranced on the ground. He however soon recovered his sense, and with a dejected spirit writhing in the perturbation and agony of fear he arrived home. "Oh Brahmoni," said he, I have received nothing to-day and have seen a most dreadful figure screaming *" With betelnuts in hand, betel in mouth whither dost thou stray Brahmun Thakoor, tell Coonee, Boonee has been blessed with a son !* Scarce was the narration of this circumstance over, when another gigantic creature of an equally appalling nature issued from one of the corners of the cottage yelling, "She is may sister, she is my sister—I was *Boonee*, I am *Boonee*. Execrable shade who art thou that dwellest in our cottage? We two sisters *Coonee* and *Boonee*, live whether rubbish and dirt are allowed to accumulate, and also near such persons as are strangers to cleanliness. This was a lesson to the *Brahmun* and to the *Brahmoni* they changed their mode of living." " So ye children and girls," continues the *greenee*, " you must

* Geernee means the head of the females in a family.
† Brahmoni means the wife of a Brahmin

try to be very clean and neat to-day unless you choose that your dwelling house should be haunted by those two hobgoblins."

With such remarks and apopthegms this long *tirade* is usually concluded. The audience, much edified by this lore, now disperses and flies to the room where *Luchmi* is to be adored. Meanwhile, a general illumination takes place in a native part of the town. All the terraces, verandahs, and windows, and every creek and crevice are loaded with lights and bundles of dried branches of the *Sij* tree are consumed in the roads by the lower classes of people, which has often proved a very unpleasant and dangerous diversion. Before *Luchmi* and *Shama* are worshipped, *Ah-Luchmy* is placed on a *koolo*, and is driven out of the house with the beating of *pitkhote* and saying "*Luchmi* is come *Ah-Luchmi* gone out.

From the commencement of *Kirtic* to the close of winter, a bamboo with a glimmering lantern at its top is to be seen every night on the terrace of every native family. This is called *Ah Kins Peerdeo*, or lighting a lamp in the sky, which is said to be productive of *positive* good.

Juggodahtree (nurse of the world) has four hands, and rides on a lion rising on an elephant. This Goddess is represented in this shape, and worshipped one day and one night. She is also fond of eating buffaloes, goats, rams, *cumurass*, fruits and sweetmeats. The object of adoring *Kartic*, (a very handsome son of *Doorgah*, riding on a peacock, with a bow and arrow in hand) is to get children. *Debokee*, the wife of *Basoo Deb*, performed the poojah first, and was blessed with a son known by the name of *Krishna*. Every girl who does not soon become a mother, is advised to resort to this expedient for effectuating the end. It is for this purpose that this pooja has been introduced into the world, and celebrated chiefly for the *benefit of barren women* on the night of the last day of the month of *Kirtic*. Those young ladies who were never in that agreeable state in which "ladies love to be who love their lords," are in the habit of declaring solemnly in silence and secrecy, that they will worship the god with great veneration if he confers on them *the blessing*. In consequence of this superstitious belief *Kirtic* has acquired a great popularity among our females, which he is not likely to lose till they themselves are convinced of the fallacy of their notion.

Rath Jattra is an equally delightful and *heart stirring purub*. The circumstances which have given birth to it are delineated in a most elaborate manner in *Srimut Vaughut*, a standard theological work of the Hindoos. I am afraid, I shall pollute the *virgin* ears of my readers, if I give here a *literal* translation of that portion of *Vaughut*. I shall therefore content myself with a more succinct account as to the origin of this *Poojah*, which, I presume, would be quite sufficient for my purpose. While Krishna lived in *Bindabone*, he used to rove every morning and evening in a pastoral habit in the flowery banks of *Jamoona*—sweetening every ear with the sound of his flute. One day, sixteen hundred blooming milk maids of the place (who had all along longed to be the mistresses of Krishna) were indulging in aquatic diversions in the river, when the *cunning* God who was lounging in the adjoining *pooterees*, went to the bank, and hid all the clothes which they had left there, previous to their enjoying the pleasure of swimming, and he climbed a *Kel Kodumno* tree, to bring blushes on their faces. After much entreaty and supplication the milk maids received back their apparel, but the sight of Krishna was so very alluring and fascinating, that they all expressed a wish to marry him. The *gracious* God not willing to turn a deaf ear to their solicitations, desired them to meet him on the approaching full-moon night in the embowered shades of *Nicoonjo-bone*, where he promised to exchange with them the vows of friendship and love. In pursuance of this intimation, the beauteous milk-maids repaired to that rural spot on the appointed night. The face of the sky was calm and serene, the silvery moonbeams gently danced on the rippling rills and rivulets; the arbours of *Nicoonjo bone* abounded in sweetest fragrance; the valleys and the woodlands were carpetted with flowers of the richest hue, the melody of birds and the hum of insects were exquisite and delicious, and there were so many graces and attractions in the scenery of that night, that the whole of *Bindrabone* seemed wrapt in a mantle of loveliness. In such a night as this was Krishna absorbed in joy and merriment with his dearest mistresses and enjoyed every pleasure of conviviality and love. To preserve from oblivion, such a *glorious act* of this deity, the Hindoos commemorate it every year in an ostentatious way. The place where the image of Krishna and that of his "Radika fairest" are worshipped, is adorned with flowers, birds, &c. of *sola*, and no efforts are left untried to make it appear like *Nicoonjo-bone*. The *tamisha* is exhibited three days and three nights, during which the natives amuse themselves with songs, music and feasts.

In *Aupran* the Natives make on a certain day a medley of new rice, jaggrey, *colay soytee* and *toolsee* and invoke the souls of their deceased ancestors, by dint of their *Purohits mantras* to feed thereupon. The ceremony is called *Nobonno*. In this month *Ganesh Jonoma*, or the Goddess Doorga, sitting with her son *Ganesh* in her lap, is worshipped. It lasts only one day.

At the end of *Poose*, the Hindoos tie their beds, chests, almirahs, boxes, windows, and venetians with straws, wound up together for the purpose of being fortunate in the world. The last three days of this month are dedicated to eating *petahs* and *sotoochakleea* (a sort of cake) whose luscious flavour is always grateful to the native palate, and tasted with no slight smacking of lips and display of jaws.

The poojah of *Sersawate* (Goddess of learning) takes place in *Maug*, a very pleasant

month in Calcutta. This goddess is of a white colour, and is represented as dancing with a harp in hand in a garden of lotuses teeming with humming bees and *kokeels* moving with the gentle flutters of *Mulaie** After the Poorohit has chaunted the necessary *munters* for her invocation and laid a heap of flowers at her feet, the male worshippers stand before her with folded hads, imploring her *divine self* to pour wisdom into their minds. It is the firm conviction of the natives that all knowledge and philosophy emanate from *Seraswati*, and those to whom she is propitious distinguish themselves in the boundless field of intellect. With this goddess, inkstands, pens, and such other implements of intellectual warfare are annually worshipped. Some of the Hindoos do not think it proper to eat plums before this poojah; but, they are all of opinion, that walking riding, or taking trips, is indispensibly necessary on this occasion. We therefore see them in *loukahs* or boats on this day, careering down to *Baulee Khaul* and *Akeerauck*, there to despoil the poor husbandmen of their beans and fruits, as well as to amuse themselves with a hoarse jargon of *tuppas* and *cobbies*.

In *Faulgoon* the *Dhole Jattra* creates a sensation among the natives. Previous to the commencement of this *tamasha* a *cauchur* or a huge mass of bamboos and clay placed in an erect position in compounds or public roads is burnt with two *rams of pounded rice*, in commemoration of *Krishna's* valour in destroying two giants. On the next day *Krishna* and *Radeka* are swung in a *chowkee*, when heaps of *aubeer* and *koomkoom* are flung upon them, and all the bigotted Hindoos become excited to dirty each other's clothes with this disagreeable stuff. It is recorded in *Sreemat Vaughbat* that *Krishna* gratified himself and his *sixteen hundred* milkmaids with this pastime in a *Dekaah*, while he was in *Bindrabone*, and the object of repeating this amusement of that worthy God with every feeling of devotion and piety, is merely to concentrate his kindness and love. *Dole Jattra* is continued three days, during which period considerable fervour of enthusiasm approaching to madness is evinced in harrassing all "neat, trimly dressed" persons with showers of *aubeer* and turmeric powder.

Doorga is again worshipped in *Chiotro* under the denomination of *Basunte*, but there is not much pomp and pageantry attendant on the celebration. A few days before the end of this month, rattling of *dhaks* is to be heard in all the streets of Calcutta, and groups of *sonasees* are to be seen going and coming back from the river, with fans and boring rods in hands. It is incumbent on these fanatics who thus prepare to encounter the hardships of *Churruck-poojah*, to visit every day a temple of *Mahadeva*, and to abstain from animal and vegetable food altogether from the date of their commencing the *Sonnash* till it is concluded. Three days before the *Churuck-poojah*, the *sonnasees* walk in the roads with branches of thorny trees in their hands on which they leap from a high place, in order to convince the spectators of their having gained supernatural abilities owing to their devoting themselves to the adoration of *Sheva*, as well as to form an intimate connexion with that God by torturing their own bodies. On the next day they fall on knives and *botees* from elevated ranges of bamboos, throwing at intervals cocoanuts and *bells* against the nearest beholders. At night they all go to *Kalighaut* with boring rods, spades, crows, daggers, &c. and perforate with these some parts of their bodies, and return home dancing and jumping in an exultant air. On the morning of *baunforah*, or boring, all the *verandah*, terraces and roads are uncommonly crowded. *Gajuns*, consisting of flag-bearers, tom-tom beaters, songsters, *tomasuk wallahs*, attired in most grotesque and fantastic habits, and exhibiting sometimes most indecent specimens of their proficiency in buffoonery, and *sonnasees* moving with dexterity the iron instruments pierced into their bodies, while some of them clouding the procession with volumes of smoke arising from the constant offering of incense on the fire blazing in their *sauthelies*,* parade in the public streets by the richest natives, with a degree of self-pride and consciousness of superiority in the considerable disbursement of their wealth for the encouragement of such *fooleries*. Figures of mud and paper, manifesting not the slightest effort of imagination or *art* in their formation, are not uncommonly added to the *tamashaw* to augment its relish. But whatever means may be resorted to, to enchance the comic virtues, there is nothing in it that can be worthy the attention or to attract the curiosity of *enlightened* men. The perforation of limbs, the shedding of blood, and lacerating the wounded parts from a mistaken idea of securing the good will of *Shiva*, are scenes that cannot but be revolting to our feelings, and fill our minds with horror. Some of the *sonnasees* are said to have bored their bodies with bayonets, swords, snakes and *dakies*† of no small breadth.

On the next day *churruck-gauch* (a large piece of wood with two or three bamboos tied at its top) is fixed. At sun-set a tumultuous rabble gathers around this swinging post, when the *churukeys*‡ animated by the music of *dhauks* and *dholes* rush to the glory of having their backs bored with a piece of iron, wherewith a strong rope being tied, they are sent above one at a time, where they move about their legs and hands, shewing an utter disregard to the pain they are labouring under.

The *Patroboje* takes place the next day in the morning. Some of the *sannasees* fall prostrate on the roads, which is, perhaps, meant as a finishing stroke to their labours, indicative of their zeal for *religion*, and then take their

* Southern breese.

* *Sout-holee* means a successive number of iron wires with which the *sonnasees* bore their ribs.

† *Dakee* is a sort of grinding machine.

‡ *Churukeys* are those that swing.

usual meal to invigorate their exhausted frames. In the evening a *mela* is held near *Bowanee poor*, where all classes of persons repair to witness the sprinkling of vehicles, the modest features of Hindoostanee *bebees*, the array of turbanded *Khottas*, the careless march of spectators, the grandeur of the *bazar* and the *sublime* image of *Kali*.

I have dwelt here on the *poojahs*, which have been usually adopted by the Hindoos as the best means of rising to the pinnacle of glory, and arriving at the goal of *genuine* happiness. Besides these, there are a few more, which no less engage the attention of the parties whom they concern. The fishermen adore *Macaul*, God of fishes; the woodmen and the residents in jungles, worship *Kaloo Roy* and *Duckin Roy* (Gods of feline species), the Hindoo mothers pay their homage to *Sosto* (protectress of children) and *punchanon* (destroyer of children) and persons involved in difficulties and dangers revere *Soobachoonee* for bettering their circumstances through her influence. But these being all of an insignificant character, it is not necessary to expatiate on them.

I am afraid, it will appear from these "inklings", that the generality of the Hindoos have for a considerable period been immersed in superstition and immorality and labouring under innumerable prejudices and fallacious notions. But let it not be thought that such a sad picture will ever continue to harrow up the feelings of the friends of improvement.

The light of knowledge that has begun to dissipate the clouds which had darkened the face of India from time immemorial, is destined to attain its meridian glory and "shine more and more unto the perfect day." Schools and colleges have been established in many parts of Hindoostan, and the reports that have been given of the progress of the pupils are generally of a most flattering nature. The intelligent portion of the native community now seem to appreciate their own rights and privileges, and are co-operating with the Government to promote the cause of *education*, and support all *useful* objects and undertakings. The Agri-Horticultural Society are making most strenuous efforts to rouse the apathetic natives to the important task of ameliorating the agricultural resources of their country. The Asiatic Society are enriching *Indian lore* and diffusing a knowledge of arts and sciences. The laudable exertions of the Steam Committee for facilitating the intercourse between Great Britain and India will, in all probability, be crowned with success. The establishment of the Medical College will eventually put an end to all quackery, and contribute to the advancement of the country in civilization and *learning*. In whatever point of view we may consider the anticipations of patriots and philanthropists as to the regeneration of Hindoos, we find that they are by no means *utopian* as is supposed by some. We know that coming events cast their shadows before.

"The effulgence that has already brightened the midnight darkness of this land of ignorance, "cannot again be quenched; it is free and open and accessible as the air we breathe." We see that our country is now placed on a much more favourable footing than it was at any time before, and *intelligence* is fast spreading itself among the natives. The period, therefore, cannot be far away, when she will enjoy the glories of morality and civilization, and wear a spectacle delightful to every eye.

Calcutta, Aug 28, 1837.

P. S.—The writer of these papers craves the indulgence of the public for the imperfections that may have crept into them, as also for the typographical errors which have appeared almost in every number, and rendered many a sentence quite ungrammatical and unintelligible. But, good readers, kindly overlook these faults, for neither himself nor the *worthy gentlemen* of the Press are yet so clever as *Crichton*. So adieu.—*Englishman*.

MILITARY FLOGGING.

A correspondent of the *Delhi Gazette*, has agitated the question of military flogging, and though we do not think it is a punishment likely to be dispensed with, yet so long as a part of the Indian army is subject to it, whilst others in the same regiment are exempt, it is right that the attention of the public should be occasionally called to such an extraordinary mode of enforcing discipline, to which we know of no parallel, unless we suppose the Christian drummers and privates in the Indian army, perform the part of whipping boy, a functionary whose vicarious punishment used to strike terror into the hearts of our princes when they had themselves transgressed.

The remarks of the *Delhi Gazette's* correspondent on the deceptions practised in recruiting, are, we fear, but too well deserved; they must have a tendency to infuse discontent into a service which they find very different from what they had been led to expect. But as our Government never can introduce a conscription, how are men to be obtained for such a service as ours? We find that recruits are never wanting for an irregular expedition. The British legion was easily filled up with volunteers, though the men must have known that they had nothing to hope for from the liberality of the Spanish Government. But a service of that kind is considered temporary, the period of enrolment is short, and the adventurer thinks he can get away if he dislikes it. Not so the British army; the necessities of colonial service require long periods of enlistment; the expense of sending home those

whose time had expired would be too great if the term were short. But the inducements held out to join the army are so small that, as the schoolmaster progresses, it will become more and more difficult to procure recruits. Young men who can maintain themselves at home will not be induced to enlist, and the army will be forced to fill up its ranks with men of irregular habits and bad characters. The system of discipline, therefore, so far from being relaxed, will probably have to be drawn tighter, as the inducements to enter the army become less. How is this to be avoided? only we think by substituting rewards for punishments. And how can that be done, so long as the Tory aristocracy look to every commission in the army for their own families? It has been given in evidence that soldiers in general are not willing to accept promotion; but this only shews that the class recruited from is unfit for it, or that promotion is rendered undesirable by other circumstances. But there are other modes of rewarding men besides rank. The British Indian army might be recruited for special service in this country, and a condition of that service might be, eligibility after a certain term of service, to the vast number of comfortable situations which are now otherwise disposed of. India is held by military tenure, and for that reason we think every reward ought to be given to the military that is compatible with its good Government.

It would be no hardship to any candidate for office in this country, that the first question put to him should be, how long have you served the state in arms?

If, instead of lying accounts of the riches to be obtained by the plunder of India, a list was made of all the offices and employments suitable to the soldier, and the Government even to pledge itself not to give these to any others, so long as soldiers could be found qualified who had completed their period of service, (whatever that might be) a strong inducement would be held out to respectable young men to enlist, and a still greater inducement would be created for steady good conduct during the period of service. Hope is one of the most powerful of human motives, and could scarcely fail to produce its full effect under such circumstances.

But with regard to the total abolition of flogging in the army and navy, we own that we do not see how it can be effected, without the substitution of something worse. We have lately had occasion to remark, that solitary confinement led to incurable disease in this climate. No doubt, the punishment of flogging has been greatly abused, and the discussion which has taken place, will assuredly have the effect of checking this evil. The more it is confined to cases really requiring severe examples, the more efficacious it will be; but it is very difficult to say how officers could enforce a severe discipline, rendered perhaps doubly irksome by fatigue and privations, if they had not some such method. Even the *Hurkaru* is for substituting *death* in extreme cases. Persons accustomed to the habits of civil life, are too apt to consider the necessary severity of a military service, as wanton cruelty. They forget that an army or navy is a machine, which can only work when all its parts are in order, and that habits of minute and ready obedience are essential to its security. We must not reason, therefore, on military punishments, as we would on those of civil society. The state may go on with perfect harmony, though every individual is left; but, in an army, irksome and disagreeable duties must be perpetually enforced for the safety of the whole. It is this which makes the question one of so much difficulty; you cannot reason with men, when the consequences of their conduct are to fall upon their comrades—not upon themselves. Punishment must be inflicted, and then it becomes merely a question—of what kind of punishment is the most efficacious. The sufferings of the individual are not the first consideration, but the effect, as an example, otherwise we should not find the advocates of the abolition of flogging recommending *death*. It is urged, that corporal punishment is disgraceful, we say, all punishment is disgraceful, and ought to be disgraceful, otherwise it would lose its most important use. Thousands would be found who would volunteer to bear the lash, or much severer pain, if honor was to be gained by it.

But there again we have a reason why this punishment is better adapted to military than to civil life. The infliction in the latter is a permanent and indelible disgrace, because we are not so brought together that subsequent good conduct could be known to atone for former delinquency. Not so in a military service; every man's daily conduct is known to his comrades as well as to his superiors, and it depends on himself to efface all remembrance of former misconduct. And this accordingly happened, as we have seen by the evidence before the Commissioners of Enquiry, that flogging has not prevented subsequent promotion. With regard to the test proposed by the *Delhi Gazette* correspondent as to the effects of this punishment in shortening life, nothing could be more fallacious, as it must happen, that the great majority of punishments fall to the lot of men of the most irregular habits, who are very likely to be early victims of their own excesses; solitary confinement, as we have already seen, undermines an unimpaired constitution.—*English man*, Oct. 11.

The subject of military punishment is one of such vast importance, that we make no apology for recurring to it in reference to an article we quote from Wednesday's *Englishman*. Our morning contemporary is of opinion, that the punishment of the lash is not likely to be dispensed with. We, on the contrary, think it is, and particularly in this army, for the reasons we have already assigned, and in that opinion even the now ultra Conservative *Times* concurs. It may be, that in

us the wish is father to the thought, for we confess we view with honor the punishment of the lash, and consider that it will be vain to hope for any extensive improvement in the moral tone of our army, while a punishment so utterly degrading, so destructive of proper manly pride, is continued. In vain is it contended, that this punishment may be so regulated and limited, that no good soldier will be liable to it: while the power to inflict it continues, the best men in the service may become subject, so long as they are subject to be commanded, as they frequently are, by young, thoughtless, inexperienced men, or by military martinets; and the very knowledge that such a punishment could be inflicted for a disrespectful word or look, perhaps,—that it is one of the means held indispensable to the maintenance of service discipline, is sufficient of itself to deter a better class of men than those who now enlist from entering the service. Our extreme case is one of exception, and of rare occurrence, which bears with it its own justification; but by no means goes to the extent of proving, that if flogging be abolished, death is the only substitute. The question of secondary punishments, both in civil and military life, is one of considerable difficulty; and there is, indeed, no less difficulty in obtaining evidence of experienced men, free from prejudice, in favour of a system which has long obtained. There is no fallacy more prevalent, none by which even intelligent minds are more apt to be led away, than that of the *cum hoc* or *post hoc*, *ergo propter hoc*. All attempts to reform abuses, which have long existed, are continually met with this fallacy. Take the case of our great public schools for example. Propose to change the system in them, you are met with the old fallacy—"See how many great men they have sent out into the world! as if pedagogues and schools could ever make man, however, they might mar great men! while the number of blockheads *per contra* is wholly left out of consideration." So it is in the army:—talk of abolishing flogging, you are answered, "My dear Sir, the thing's impossible; and, besides, can that system be bad under which our men have so gloriously fought and conquered." Yes, we would say, it may—it is. A system of which a demoralizing punishment forms a part, can not be good. Oh! but it is expedient. Expediency, the tyrant's plea, is as odious and unsatisfactory here as elsewhere! and how is this expediency proved? By induction from numerous and carefully registered facts, dispersed over a long period and occurring under various circumstances? no; but chiefly from the opinions of men who have never seen any thing of any other system, and even those opinions are opposed by some men of equal experience, though the majority of military evidence is, as might be expected, in favour of the lash. Yet upon such insufficient grounds is it assumed, that in the army the only adequate secondary punisment, the only substitute for that of death, is the degrading infliction of the lash!! If we would deduce a law in political or social economy, we feel the necessity of the most accurate and discriminative statistics, and we can scarcely form a conception ere we enter on such studies of the numerous circumstances which it is essential to consider, in order to arrive at a safe conclusion. Thus, for example, without such careful investigation, it would be very natural to infer, that as civilization advanced, and the numbers of a people increased, the proportion of births to a marriage would increase; but the fact is not so, the number of births *decreases*, and the augmentation of number is produced by the diminution of deaths, "the cheering sign of improvement:" now, where are we to refer to the military statistics, which justify the sweeping conclusion in favour of the punishment of the lash. Solitary confinement, we are told, leads to incurable diseases. Very possible; but how is that ascertained? Many men may, after solitary confinement, have been afflicted with incurable diseases; but it would not follow, that solitary confinement was the cause of those diseases, and even if no other cause could be discovered, and the inference were admitted, a question would still arise, whether the kind of solitary confinement inflicted, might not be in some degree so modified as to prevent the effect which is alleged to arrise from this punishment. Some of the *convict* houses we have seen in this country, appeared to us not nearly sufficiently ventilated, and placed in situations which exposed them to the sun at all hours, so that the heat in them must of itself be sufficient to engender disease. Of course, if men are immured in ovens, such an effect will follow. It is by a very similar process that *gourmands* give turkeys the liver complaint, the sowllen liver being a truly epicurean *morceau*; but the baking process is not at all indispensable to solitary confinement. Into this and many other considerations, the advocates of flogging are bound to enter ere they can make out their case. There are other punishments, moreover, besides solitary confinement, without flogging, and we wish to be informed, moreover, why, if solitary confinement has been clearly ascertained to produce fatal diseases, it should still be, as it is, continued?

All punishment, we are told, is degrading. Not exactly. A reprimand, a stoppage of spirits, an extra drill, are not degrading; while the punishment of the lash, the exposure to be seized up and flogged at the halberts in the presence of hundreds, like a criminal at the cart's tail, is the very lowest degradation to which free and civilized man can be subjected; and he who does not feel it to be so, is not worthy to be a soldier. We may observe too, that flogging is not only a degrading but a cruel and revolting punishment, as few of those who have witnessed it often enough to judge of it without becoming inured to a spectacle so revolting, must acknowledge.

We agree with the *Englishman*, that the test proposed by the *Delhi Gazette's* correspondent, to ascertain the effects the punishment

of flogging produces in shortening life, would prove falacious, for the reason assigned; but has not the punishment itself a tendency to drive men to intemperate habit?—a man once flogged is very apt to become reckless. Some may not, but the tendency of the punishment to produce that result we take to be obvious.—*Hurkaru, Oct.* 13.

THE OPIUM QUESTION.

A re-sale of Opium, consisting of Mr. Cohen's forfeited lots and the uncleared portion of the quantity assigned to the French Government, took place to-day. The quantity put up was 697 chests of Patna and 163 chests of Benares, together 860 chests, and though deposits or promissory notes (chiefly the former) to the amount of 1,000 Rs. per lot, were taken in the room from every buyer at the time of registering his purchase, the sale went off at prices fully equal to those of the day in the Lazar, and we conceive higher considerably than the present aspect of the China market warrants the expectation of realizing there. The first lot of Patna was knocked down to the rich kotee of Luchmeechund Radakissen at 1,185 Rs., which was the highest price of the sale, the next lot being sold at 1,140 and the 6th lot at 1,130, the minimum: the average of the Patna Opium was Rs. 1,119 per chest, while the Benares averaged Rs. 1088-1-7, ranging from 1085 to 1095 Rs. per chest. The public revenue realizes by this sale 9,78,240 rupees, which is rather better for the State, (and for "the poor army" too whose pay is dependant upon the public revenue,) than if all this opium had been burnt as suggested by the *Hurkaru* last month.

The sale occupied more than two hours about five times as much space as would have been required to get through the same number of chests under the old plan. The purchasers were all of a substantial class, the requisition of deposits having the effect of excluding the common bazar buyers, who merely speculate upon the chance of re-selling on the spot. We observed that the Covenanted Officer who presided was furnished with a list of defaulters' names, but no person liable to rejection on that account offered himself as a bidder.

All the overdue opium of the February sale was paid up yesterday. The amount, we are told, was about 10 lakhs.—*Calcutta Courier, September* 15.

"The possession of the Malwa opium seems also to have led to the adoption of a new principle in Bengal. Instead of restricting production to certain limits, it is now said to be encouraged. The collectors of the land revenue are appointed to act as deputies to the opium agent, and allowed a commission, on any increase of produce raised in their districts. Whether this be a change from bad to better, or from bad to worse, remains to be proved. In the mean time one evil is obvious, it sanctions further intermeddling by collectors and their establishments in the private affairs and labours of cultivating ryots."—*Vide Rickards's India.*

"Para. 38, and ungrateful Malwa! To us you mainly owe your present elevation. After reduction to the lowest ebb of exhaustion from Pindaree invasion, we for many years succeeded you and administered to your renovation an annual sum of some 20 to 25 lacs of rupees for the advancement of your cultivation, and now your prodigality is our ruin. At one time it was believed, a remedy had been found. Vain hope! The disease got too deep for eradication and the loss of Bengal revenue remains irretrievable."

Extract from one of 60 para. of a letter signed Jesrus, and which appeared in the *Calcutta Courier*, on the 23d July, 1835, headed O, man versus Indigo.

TO THE EDITOR OF THE ENGLISHMAN.

Dear Sir,—In your paper of the 25th ultimo, under the head of "notice to correspondents," I duly observed your remarks to a Writer under the signature of ADVICE. I suppose *his disinterested counsel* to you was, not to publish any more letters of mine, or of Hujee Mahomed's. I am sorry though you thought proper to suppress his *obliging communication* as I might perhaps have been able to give him a piece of *advice* in return for his *insinuation and personality*, at least as far as I am concerned. Whatever ADVICE or others may think of my letter of the 9th July, I care very little, because the object has in part been gained, for which it was written i. e. Lord Auckland's attention has been called to the subject it alluded to; if in consequence of my letter, why then it proves, Mr. Editor, you were quite right, in surmising that his Lordship does condescend to read the letters which appear in the *Englishman* newspaper, and it proves that I was quite wrong in doubting the fact.

A circular has, I hear, been issued from below, a copy of which has been received at Chupra, calling on the magistrate of the adjoining district of Sarun to make most minute enquiries into the state of the crops, the grain in store, the poor, and the mortality from starvation or cholera, and then to report the result. The circular, however, calls only for information, but does not sanction the slightest relief. If any thing like a true report be sent from this district (for I imagine the circular has been sent to the magistrate of Tirhoot) the returns under the head of *starved to death* will nearly equal those of *died from cholera*. If Government really does get in answer a true statement of all the questions given, I am quite sure it will be one of a most appaling nature. The returns from this and every district should all be published in detail, that those who know something of the real state of matters may see whether the questions asked are blinked or not.

We have been all much surprised—not only surprised but astonished (as a gentleman in the civil service once wrote to one of the boards) at the *generosity and benevolence* displayed by Government in granting to the *poor distressed* opium gamblers in Calcutta, the small and insignificant sum of thirty lacs of rupees. Do, if it be possible, Mr. Editor, comply with your correspondent QUERY'S request, contained in your paper of the 30th ultimo (received to-day) and let us have the publication of "*the opium refund petition*," also, by hook or by crook, let us have the *Government minute and council orders*, and the preamble if there be one.

"Gracious heavens! chops and tomata sauce! for thus does Serjeant Buzfuz exclaim, after quoting Mr. Pickwick's note, in the midst of the most affecting appeal to a jury, I ever read (Vide Bardell v. Pickwick) not even save and except Mr. C. Phillips in Guthrie v. Sterne. I can only lift up my hands and exclaim, "*gracious heavens!* thirty lacs to *opium gamblers!*" What does the Rev. Archdeacon Dealtry say now to opium? He once wrote sensibly enough on the drug, and why was that pamphlet suppressed? But what will they say at home? What will those pious old ladies, the directors in Leadenhall street, say to this beneficial gift? Thirty lacs to opium gamblers!! "*But they're very tough, as the very old turkey said to the farmer.*" Thirty lacs, I say again, to opium gamblers, and not one pice to the starving poor, who have been *forced* to cultivate the drug! Could not Government at once, when they heard distress prevailed in Tirhoot and Sarun, have ordered up even one lac of rupees to be distributed to the suffering poor, their own opium slaves too, who are forced willy nilly to grow the poppy? Not one paltry lac and yet give 30 lacs to a set of gamblers! Cannot you publish a list of the fortunate gamblers—"athirty lac distribution list!"

The Government minute on this trifling gift must be rich in reasoning; let us therefore have it without fail. For the life of me I cannot make out any reason in the thing. It smells strongly of job! job! and so I take it the whole matter is, and has been from first to last. Reason! Why Captain Farquharson of the *Hungerford*, who bought my friend's indigo 2 or 3 seasons ago, and lost a lac of rupees by it, might just as well demand this sum of the seller for compensation. The owner of the *Hurkaru*, Mr Samivel S—th, might just as well send in his claim to Government, and ask for compensation for the loss he has sustained, and is likely to sustain by his paper's having been floored, because people prefer the *Englishman's* good sense and well written articles to the old *Hurkaru's* twaddle. If we never get to the true reason for this most astonishing gift, we can only be on the look out for some other proofs of the Government's liberality. A quarter of the sum distributed to their military officers would, I am sure, be felt as a real boon. Prary, my dear Mr. Editor, have the opium speculating gamblers ever accounted to Government for one anna of their gains by former purchases? If not, I suppose we may live yet long enough to be again *astonished* and *surprized*, and one of these odd days we may yet witness the very *extraordinary* occurrence of the opium gamblers handing over 30 lacks of rupees out of their profits as present to Government. Now in case ther should be a Nipal or a Burmese war, they will have a *very* nice opportunity of shewing they are not ungrateful.

From all I have been able to glean from the papers, one thing seems pretty certain, that the present low prices are the consequence of over production, and that the stock of opium exceeds the wants of the China market. Such being the case is the *forced system* of cultivation, at present in use, still to continue? Or is opium now to be cultivated by the free will, and free will only of the ryot, as expressed in the regulations? Again are all the opium penal laws still to remain?

The Government have at last, (however dilatory they may have been) seen the iniquity of continuing the deputy opium agent and collector, as magistrate; but they never will conduct their monopoly with fairness so long as the penal laws exist.

It is a curious world we live in now a days. Because forsooth two of the Sudder Aumeans in this district have been discharged for bribery and corruption, Government see fit to increase the salaries of this class of persons, and even talk of bestowing an order of merit. It will be an order to promote bribery and corruption. Does the Government really believe for one instant, that if a man will be and is a rogue at 500 rupees per mensem that giving him 200 rupees more will make an honest man of him? I know not how many Suddér Aumeans may have been discharged for rascality in other districts; but this I know, that most of the natives in these parts, know how to get their business settled as in days of yore, and he who holds the purse wins.

And now, Mr. Editor, to conclude, "God bless your benevolent eye-brows," the opium gamblers ought to shout out, whenever they see the light of Lord Auckland's countenance. I can only say in the words of that respectable youth Sam Veller, "If your Lordship had seen half the distress I have witnessed in this district, it would penetrate your innocent heart and come out *again* at the other side."

I remain, Mr. Editor,
Your most obedient servant,
OLIVER TWIST.

Tirhoot, Sept. 5, 1837.

[*Englishman, September* 16.

We should have thought that our evening contemporary would have been content like—

"Little Jack Horner,
Who sat in a corner
Eating his Christmas pie,
To put in his thumb
And pull out a plum,
And cry, what a good boy am I."

and would have pocketed for self or friends the "Opium-bonus," without challenging further discussion on the wisdom or the justice of the grant or the equitableness of the division. But his evil genius has prevailed, and in the intoxication of a triumph, to the attainment of which, we admit his talents were ably and perseveringly devoted, he again awakens public attention to proceedings which, it were better, for their author's sake, should be erased from the Indian annals, or plunged non-bound in the "swatch" or any other unfathomable depth.

"The public Revenue," he says, "realizes by the late sale 9,78,240 rupees, which is rather better for the state (and for the "poor army" too, whose pay is dependent upon the public revenue) than if all the opium had been burnt, as suggested by the *Hurkaru* last month." Now, it would puzzle Cocker to find how the Revenue is bettered by paying 30 Lakhs of rupees to get 10 Lakhs. If the "poor army" is to depend upon an annual fractional on this principle, we opine, it will be "pretty considerably tarnation deal" poorer in a very few years. Our cotemporary must shew that had this opium been put up to sale, without the "bonus" having been granted, it would not have brought the same amount as it now has, and if he does shew this, then is he impaled on the other horn of the dilemma, by his proving that the government measures have forced up the sale by an interference unjust to the general merchant, beyond the market value.

We did not "suggest" last month but we "concluded" the Government would burn the uncleared Opium, upon an impression, derived from the rumours of the day, that the sale of uncleared lots was to have been cancelled "in toto," and a bonus granted to the purchasers of the portion shipped. In that case, the throwing of 19,000 chests upon the market would have had an effect upon the sale price of the 19,000 chests to be brought forward next season, not differing materially in the ultimate sum realized than if they had been burnt.

By the way, we observe a letter in the *Englishman*, under the signature of OLIVER TWIST which smells very much of Vansittart Row, otherwise the writer must have been under a curious state of sophistication; for he posively considers or affects to consider our cotemporary a doughty combatant against the Opium "bonus," instead of the trimming, shuffling Counsellor Etherside, he has proved himself on this occasion as on many others. But what particularly confirms the suspicion of home manufacture is an indecent and unwarrantable allusion to the proprietor of this paper by name, and which comes in singularly strong contrast to the late ebullition against personality on our having simply used the phrase of "*a writer*" in reference to some stupid articles on Banking and Bills of Exchange which have lately appeared in the *Englishman*. It is, however, some satisfaction to find him driven to these extremities of puffing. A thriving adventurer seldom cries roast beef.

But we will now turn to our cotemporary's evasive skirmish on these subjects and shall dismiss it in as few words as possible. We did not call him "fool or blockhead, or a desperate sot," as he asserts, but we are not to blame if his own writings make him liable to the "soft impeachment." There is, however, another character we are disposed to give him, presumable from his malicious but impotent charges of partiality against Mr. Tooke, in the "thoughts and details on the high and low prices of the last thirty years," which would stamp him, not indeed with more wisdom, but more perverseness. What reasons, we would beg to ask, could in the nature of things have influenced that gentleman "to have given a one-sided view of the question," and we further beg to ask, if our cotemporary knows what the question was; for in our conscience we believe, Mr. Tooke's works are a sealed book to him, and that he has with his usual effrontery ventured to criticize opinions he has never read, and to depreciate authority he had never heard of, on subjects far beyond the level of his comprehension.

In respect to Government issues, his assertion was, there was no occasion to apprehend abuse except from a revolutionary Government, and that our allusion to the assignates, therefore, did not bear upon the case of a "Simon Pure" sort of regime like that of India. In reply, we pointed to Law's scheme and Despotic France—to Russia—to Austria—to Denmark—and to England, at periods when the monarchical principle was more or less powerful, and so recently as the memorable resolution of the House of Commons. With affected simplicity our cotemporary attributes all these errors to Governments not understanding the management of paper-money. We make no such meally-mouthed reservations. We believe there was in many instances as much roguery as ignorance; and would be again under any strong temptation or supposed expediency, where the popular voice was inadequate to control the executive power. Under what head shall we place the half-batta order? The allusion to America is a failure; because there, a nation was in arms struggling against a Government for their lives and liberties; and there is no feature in common with such a state of things, and the acts of a Supreme and acknowledged Sovereignty. "So long," says our cotemporary, "as the Government do not make a legal tender, over-issues can do little harm." Now passing by the question of what he means by "little harm," will he tell us the probable duration of the Government's abstinence, if it once get its notes in extensive circulation? Although, authorities are "*assafœtida*" to him, we cannot resist the pleasure of calling his attention to Mr. Fullarton's opinions on this matter. "Against the will of the Supreme authority there can be no such security. Granting every thing that can be said as to the more enlightened spirit which now prevails upon such subjects, and assuming the best possible attentions, it

would still be vain to deny, that occasions of necessity or supposed necessity might arise, before which all first principles would be urged to give way: that the very uncertainty of the limits to which an issue of paper not immediately convertible can be safely carried, would afford a pretext to slight aberrations, that use would familiarize the expedient, and an impulse at first spontaneous become soon irresistible from causes growing out of its own action. There are many here old enough to remember the times of the first Mahratta war, when Treasury notes were at a discount of ten per cent. in Calcutta, and the salaries of the Civil Servants eleven months in arrears, and who can tell the extremes into which Government, under such a pressure of distress and with so many incentives of policy working together, have been tempted to plunge, had its previous habits of finance facilitated the substitution of assignats for silver? [Bengal Bank Papers]" Our co temporary is wrong in supposing we know anything of our own knowledge, or even from the Encyclopædia of the "*blue*" dollars of Copenhagen: but we have some recollection of their having caused a certain worthy Mr. Steinhandt, a fit of the "*blue*" devils, a few years ago, and no wonder, if the depreciation was so great as is alleged.

Not being disciples of Monboddo we are not called upon to defend the identity of the "*homo sapiens*" and the "*homo caudatus*," but we confess we should be inclined to pass our nether-end under a very severe scrutiny, did we imagine for a moment the relationship was as close as that of a Bank Note and a Bill of Exchange. But the slight discomposure we have been thrown into by the possibility of our cotemporary's classification being correct, is relieved at once by the recollection that nature rejoices in an occasional deviation from her general rules; and that he, no doubt, has daily ocular demonstration, as he asserts, of a man monkey clinging to a goat's neck in the streets of Calcutta or Chowringhee. But still we must protest against his conclusion, that all other men have or had tails too, as we also do against the assumption involved in the application of his illustration, that all monkeys and all men perform the same offices, and are "*arcades ambo*," although we give him all the benefit of his own experience and of the "Conjeveram monkeys," who, it is stated, have on more than one occasion, discharged some of the most important and interesting duties of mankind.

But we see our cotemporary is choked by the word "*another* species of bills of exchange," as if another was necessarily something different. Let him, though he likes not Latin, find out the meaning of "*alter et idem*;" and then perhaps he will at last acknowledge that convertible Bank Notes and Bills of Exchange are sisters of the same parent credit.

We take the following passage from our cotemporary, not only for the impenetrable obscurity of its logic, but because it incidentally seems to shew that he is not aware "coin" may be the subject of barter as much as corn.

"But before we have done with this very amusing writer, we must notice his wilful perversion of our arguments. He says "why pursue the subject with a writer who seriously quotes the free trade and the African trade as illustrative of *bills of exchange representing goods not money*" We did no such thing,—we instanced those trades to shew that when *bills of exchange* could not be used, commerce naturally resolved itself into *barter*, not into a sale for *coin*, and therefore that an opponent's assertion that *bills of exchange* must displace the metallic currency is unfounded."

We maintain that by substituting Bills of Exchange and P. Notes at the clearing House in Lombard Street for gold and silver, in the adjustment of accounts, the metallic currency, which otherwise would be required, is set free for other purposes, or in other words a much less quantity of gold and silver is required for the conduct of the enormous exchange transactions of a commercial city, like London, by the substitution of paper obligations. The currency is in fact economised Whenever a purchase is made and paid for by a bill of exchange, whether a house, or a horse or an ass, the equivalent amount of metallic currency is displaced; for "*utermini*" substitution is displacement, and it is not displaced merely as between the first buyer and seller, but may be displaced in infinitely almost by 50 other transactions.—*Hurkaru, Sept.* 19.

We observe that the *Hurkaru* insinuates that the letter of OLIVER Twist, which appeared in Saturday's *Englishman*, was produced in Vansittart Row—and the ground of this insinuation is that the writer of the letter speaks disrespectfully of the *Hurkaru*! The insinuation is at once contemptible and amusing. That our brother should, at this date, suppose it impossible for any body but the editor of the *Englishman* to hold him at a discount argues a degree of vanity—or blindness—or ignorance of mankind—which would excite our "special wonder," had we not had much experience of the *Hurkaru's* infatuation. Fortunately we are saved the trouble of a serious disclaimer of the imputation, for "OLIVER" is well known and respected in the district whence he writes, and will perhaps indulge our contemporary with a "Twist" at his leisure.—*Englishman, September* 20.

The *Hurkaru*, in a long, rambling article today, begins with a hit at us upon the Opium question, and then flies off to the *Englishman's* principles of money and Banking operations, which subjects have already produced a lengthy discussion between our morning contemporaries. Touching ourselves, that is, our little notice of the last Opium Sale, the *Hurkaru* says, it is no source of congratulation to the Government, that the sale produced some ten lakhs of rupees, this being but a third of the sum lately given back in the shape of bonus and remissions upon former sales.

"Our cotemporary must shew, that had this opium been put up to sale without the

"bonus" having been granted, it would not have brought the same amount as it now has; and if he does shew this, then is he impaled on the other horn of the dilemma, by his proving that the government measures have forced up the sale, by an interference unjust to the general merchant, beyond the market value."

Barring the objection to the demand in the first sentence, that the proof required is manifestly impossible, however strong the conviction that such would have been the result, we unhesitatingly meet the latter remark by denying that there can be any injustice in the seller of an article endeavoring to check the depreciation of it by openly modifying the terms of former bargains before new ones are contracted. As to the objection that such interference" is "unjust to the general merchant," what right has the general merchant by anticipation over the property of the sellers In private transactions such pretensions would be laughed at by every one of the general merchants whose interests the *Hurkaru* affect? to advocate. This moreover an assumption to say, the kind of interference which took place, (a composition with the previous purchasers rendered necessary by the peculiar circumstances of the case,) "forced up the sale beyond the market value." If Government had pursued the reckless course recommended by our contemporary, the effect would have been to force prices *down below* the market value: the measures they did adopt were not *forcing* measures at all in respect to the Opium then offered for Sale. Last Saturday's *Oriental Observer* said "The necessity of prompt payment had a visible effect on the price, for there is no difference in the China market to justify a fall of 400 rupees per chest, since the first sale." The Editor of that paper must have been drinking of the waters of Lothe before he made such a remark, while he also utterly neglected the reports in the prices current of the week, which he could have found quoting Bazar sales corresponding very nearly with the prices of that Sale, with allowance for the drawback on shipment. But what he said of the effect of prompt payments may be set against the second horn of the *Hurkaru's* dilemma. But who were the purchasers? the largest of them a firm that certainly did not buy to support prices, and it was evident to all the bystanders who knew any thing of the trade, that the biddings were for the most part bona fide purchases having no reference to former transactions. There is yet another *morçeau* which we are tempted to copy from the *Hurkaru*;

"We did not "suggest" last month, but we "concluded" the Government would burn the uncleared Opium, upon an impression, derived from the rumours of the day, that the sale of uncleared lots was to have been cancelled in toto," and a refund granted to the purchasers of the portion shipped. In that case, the throwing of 9,000 chests upon the market would have had an effect upon the sale-price of the 19 000 chests, to be brought forward next season, not differing materially in the ultimate sum realized than if they had been burnt."

Our contemporary "concluded!!! the Government would burn the uncleared Opium," because he understood that "the sale of uncleared lots was to have been cancelled in toto!" Certainly this would have been a cancelment *in toto*, but not exactly what a merchant would understand by the cancelment of a sale. Did our contemporary imagine that Mr. Cohen was to be extinguished too when *his* purchase was cancelled? In the second remark quoted above, the *Hurkaru* admits that Government would have been very great losers indeed by an alternative which they did not adopt; this at least is a negative admission that, if something was to be done, they adopted the lesser evil. We wonder, however, that it never occurred to our contemporary, that to destroy a portion of the Bengal Opium would necessarily have to effect of raising or supporting the price of the Malwa drug, and thereby stimulate a further increase in the quantity produced. In this point of view destruction of a portion of the Bengal Opium would not indemnify the Revenue for the present loss by future hi[illegible] would be an absolute loss without compensation in any shape. But we forget—the stimulus of the Malwa cultivation and trade, and the destruction of the Bengal Opium revenue, have been declared by our contemporary a consummation devoutly to be wished.—*Calcutta Courier*, *September* 18.

THE COPYRIGHT QUESTION.

The *Englishman* and *Hurkaru* are peculiarly fortunate in seeing as they do "things in a different light"—a disagreement which multiplies their resources and prevents that vacuum which Editors, as well as Nature, abhor. The *Englishman* views the opium trade in a particular light, from which the *Hurkaru* has labored to make out an article, by contradicting diametrically the opinions of his rival. The latter, again, upholds the natural and legal right of a native to wear shoes whilst he waits upon Lord Auckland; which the other, forthwith denounces as a dangerous innovation, tending to the subversion of British Supremacy. Their views are not, however, entirely opposed from opposition *de ipso*, but receive a slight colour from their own peculiar [illegible] ons. The *Englishman* leans to the [illegible] School and supports the "fitness of things," while the *Hurkaru* inclines to the The[illegible]

system, and decides by authority. It is thus in their present discussion on Mr. Rushton's "laudable multiplication in a cheap and accessible form, of popular English works," or his piracy, as each party respectively terms his undertaking, that the *Englishman* defends the practice on the broad grounds of "*moral right*," while the *Hurkaru* would suppress it, because it is against 54 Geo. III C. 176. The one, by his own ingenious logic—and the argument is at least consistent in one who certainly does not live by his wit—shews that the author when he sells the produce of his brains to a publisher, makes a final sale, and expects no further remuneration for his labours, beyond, perhaps, a little more fame than he expected. By the same method of reasoning it is shewn, that the publisher calculates the number of copies he is likely to sell, and when the whole has been sold, he has pocketed *all the profit he ever anticipated.* Satisfied with this view of the case, the worthy editor deduces the position, that the publisher has no more *moral right* to more profit than he anticipated, than that frequently calumniated person the Man in the Moon. And here we cannot withhold our satisfaction at the increasing attention which is being paid to moral rights, moral lessons, moral examples, moral &c. &c., in matters of law and justice. One philosopher lately endeavoured to teach the East India Company a moral lesson, and only failed from the bluntness of his knife or the thickness of Mr. Loch's cravat;* another named Pegsworth, vulgarly misnomed—the Islington murderer,—exhibited a "moral example" by shooting his tailor, who had the moral depravity to demand payment of a bill; and a third is enforcing a "*moral right*" in the immoral atmosphere of Calcutta These instances cannot but afford matter of congratulation to those—and we suppose they are not few—who deplore the neglect hitherto paid to moral principles, rights, &c., &c. in legislation, and they will not, we hope, fail to support the Calcutta champion of them. To return, however, from this digression. The question between the *Englishman* and *Hurkaru*, the moral champion and the legal one, is one which by any person but an Editor, would be decided at a glance. The *Hurkaru's* views are correct as to the illegality of the practice, for the Copy-right Act 54, George III. C. 156. is explicit on the question, and enacts, that the author of any work and his assigns, shall possess the sole power of printing and publishing such work, for twenty-eight years in every part of the *British dominions.* This no essay on moral rights can invalidate, and if the proprietors of the works, which Mr. Rushton prints, choose to prosecute him, he must undergo the penalties laid down in the Act. This, however, it is not likely they will do; for, until Mr. Rushton is established as the re-publisher of popular English works, his undertaking cannot effect to any extent the London trade, and ere that can take place measures to defeat it will have been adopted. The question Till in all probability lead to an important result —a re-consideration and alteration of the present law as relates to paper and books. That ome modification of this law should take lace, is not a mere question of general legisation, but one which every member of the empire has a direct and personal interest in, for ooks must now be accounted among the most ndispensable of our wants. The heavy duty n paper and the direct and indirect taxes on ooks amount to more than 50 per cent. on the atter article, or one-half of their cost, and hic too without any commensurate advantage. he duty on paper yields no more than 6 or 00 000 sterling per annum, while the taxes on books by advertisement, and the copies given public institutions, do little more than limit heir sale and increase their price. For this rifling sum then, the literature of the country injured, the growth and diffusion of knowedge contracted, and the most important agent n civilization opposed. All this and much more, however, it might long enough effect; but with such questions as the present before us, he policy and expediency of discontinuing he tax must force themselves on the home egislature; and in this light the dispute of he two Calcutta papers becomes a matter of nterest. Mr. Bulwer has already thrown out feeler, with the view of protecting English authors and publishers against the Americans, who not only supply all foreign markets with English books, but even the very colonies of the empire; and his exertions must be materially aided by a timely notice of the growing book-trade in India We do not desire to see a trade of this nature suppressed n this country; but still we would gladly see t become the means of effecting a reform in he impolitic, unequal, and most unjust law which depresses the tate of literature in England, and injures the cause of letters generally.

The defence, we cannot but remark, so generously set up by the *Hurkaru* for the London authors and book-sellers, proceeds solely from jealousy and envy towards the editor of he *Englishman*, who, of course, goes snaks with Mr. Rushton. When the worthy proprietors of the former paper were re-printing English works, they but complied with the requests of "a few friends" and the public at large, but when another party enters on a similar undertaking, but on a large scale, they suddenly discover it to be piracy and an invasion of the rights of others. They love to instil their ideas of right and propriety, rather by precept than by example. We suppose all impartial judges consider that the law interferes with Mr. Rushton and not he with the law, and if he is the means of causing any modification of it, we shall have no occasion. to quarrel with an attempt which enables such unfortunates as ourselves, who labour under an incurable consumption of the purse, to laugh over the humour of Boz and the wit of Hooke; though we fear they will not be long accessible to us through Mr. Rushton's

* See Kearney's letter and attempt to murder Mr. Loch, the Deputy Chairman of the Court of Directors.

undertaking; for many as are the facilities he possesses—what with clubs and reading rooms, he has but a limited market. The taste, to say the least of it, of the editor of the *Englishman*, himself an author and editor, in joining such an undertaking, is more than questionable. But his are the irregularities of genius, which is of that versatile order that qualifies its possessor for more pursuits than one, and enables a man, as in the case of this highly gifted individual, to instruct, guide and reform the public and Government in a daily paper and forward a parcel or box.* We wonder if he will re-publish his own book of tracts, which by the interest of some friendly footman he was enabled to dedicate to the Princess Amelia!!—*Agra Cuhbar, Sept.* 2.

A very animated discussion has lately been carried on in Calcutta respecting the Law of Copyright—whether the English Statute extends to this country and upon the propriety of its being so extended. The first question we have not examined, it is purely one of Law, and as there seems no person likely to bring it to a judicial arbitrement, we may for the present set it aside. The matter of propriety is however deserving of consideration.

The principal champions pro and con that have entered the Bengal lists on this view are the *Hurkaru* and *Englishman*. The former was led to excite the controversy by a consideration of the injury that a system of cheap republication of new and popular works, now carrying on by Mr. RUSHTON, was calculated to inflict on the authors or purchasers of the Copyrights; and the latter seems to have thrown himself into the lists with the blind zeal of a partizan. We need scarcely add the *Hurkaru* has by far the best of the argument.

The acutual English law of Copyright stands on grounds too fair and just for a moment's question to arise as to their principle. The work of his brains is recognized as the property of an author and guaranteed a remunerative period to him, as much as the benefit of a mechanical invention is secured to its discoverer by a legal patent. In both cases the duration of the *exclusive* property has a limit, and it is governed by a consideration for the ultimate public good after following a fair advantage to the claims of the producer. If we measure the propriety of cheap re-prints in India, of novel popular works of the day at Home, this standard we shall soonest arrive at a correct judgment upon it.

Situated as British India is, it is impossible to say that we should look at what exclusively may benefit her without regarding the laws that affect the ticklish question of property in the paramount State. All that we can expect from the rulers of the country is, that they will not allow this regard to trench unduly upon her necessities; and to such they will, moreover, find themselves actuated by a sound policy. Let us suppose that the case were that of some mechanical contrivance, we should scarce justify a clever mechanic in India copying it while the patent remained unexpired at home, merely because he chose to assume that an adequate supply of the article had not been brought to the country, or that the speculators in them, at the risk of non-sale, had fixed too high a price! we should rather, at once term it an injustice, and if we looked forward to its probable effects, we should see that the owners of patents of a similar character at home would in future be deterred from sending them out themselves, speculators would no longer bring them, and houses in India would also refrain from ordering an article whose value might be thus so materially depreciated. The same may be said of books; cheap re-prints in India will scarce form transmission of the works, publishers, speculators, and the orders of local librarians. The obvious consequence of all this would be, that neither mechanical inventions or new popular works would become available to the community save through the medium of the Indian imitators, at the mercy of whose monopoly we should then be left for the supply of those wants whose assumption is said to justify the first step taken towards its establishment!

The *Hurkaru* has greatly fortified the arguments he has used on this occasion, when dwelling upon the actual injustice to authors, or those who stand in their shoes, the purchasers of the copyrights, by instancing *Napier's Peninsular War*, which Mr. Ruston is now re-printing in one cheap volume. He dilates upon the herculean labour and the heavy expense which its gallant author has encountered in compiling this admirable work, and a little reflection will, we think, suffice to enlist in his remarks the sympathy of all military men. It has been urged in defence of the re-prints, and the shift shews how little sound argument can defend them, that neither authors nor publishers calculate upon India for a sale of their works. We dispute the assertion in any case, but in respect of *Napier's Peninsular War* it is obviously idle and unfounded. A work of such essential military interest must be and is looked for with avidity by every British Officer, and it is quite out of the bounds of credibility that Colonel NAPIER or his publishers should have overlooked the host to be found in India. Indeed it is notorious that the copies of every volume sent out to individuals and Book Societies are most numerous; and, as those must be viewed in the light of direct orders to meet the general want, neither the publishers or speculators can be tempted to transmit further large supplies until aware that a new demand has sprung up. This new demand does arise from many who having perused the work perhaps in a Book Society, desire to keep a copy by them as a book of reference; but here now steps in the cheap re-print and intercepts the order that would of

* Vide his Army Agency Prospectus.

proceed to those whose property the compilation actually is. The cheap reprint may however do a great deal more; it may cause the withdrawal of the orders existing for future volumes, and thus entail not merely a privation of profit but an actual loss in unsold copies whose disposal had been calculated on. We have gone into these details to shew the actual injury that re-prints of works of this kind must inflict; and that, whether as a question of policy or justice, we look upon them as indefensable, and as pandering to a selfish economy at the expense of the ligitimate due of an author's mental labour.

We will add but another word—on the justification that has been urged on the score of the cheap American re-prints with which India is inundated. We allow that were the justice of the one admitted the other could hardly fail to follow; but we consider the American publication a breach of good faith, and its admission into this country wholly inexcusable. The most significant exposure of this however is that the Americans meditate(we cannot turn out the paper where we saw it mentioned but the impression rests so strong upon our mind that we venture the allusion) entering into a kind of international compact with England regarding a reciprocal maintenance of the Law of copyright.—*Madras Spectator, September* 9.

An important question has lately been brought under discussion by the Calcutta print, and it is not more remarkable for the interest of the subject, than the acerbity with which it has been argued. We allude to the "*Indian Reprints*" or, as we think it would be more just to call them, *Piracies*, which are being defended by the *Englishman's* best logic and argument and attacked with much energy in the Hare Street publication. These papers, ... are evidently not "Content to dwell in decencies ..." have obliged the public with effusions, in which argument and anger bear nearly the same proportion to each other, that the single "ha'penny worth of bread" did to "the witty knight's pottle deep potations;" whilst the *Courier* with greater equanimity than either of the other controversialists, has also entered upon the question, and as might have been predicted, (considering the excitement under which his contemporaries laboured) has come to the fairest conclusion, viz., that since the present law or practice does admit of *foreign* re-prints, published without the consent and knowledge of copyright holders, being imported for the Calcutta market, it would be unreasonable to deprive *our own printers and publishers* of a liberty, which at the same time is granted to all the world besides.

The *Englishman's* justification or rather attempt to justify, strikes us as being supremely absurd. For says he, the wants of our Indian public having been overlooked, or not readily supplied by copyright holders at home, it becomes optional with any individual, to annul the exclusive privileges conferred by a copyright, set his own interpretation and limits upon an act of Parliament, and invade the rights of property as grossly as if he were to appropriate his neighbour's watch, great coat, umbrella, or any thing that is his. But it is not as a legal question only that this case ought to be considered; with regard to that point we may rest satisfied that a clear exposition of the law of Copyright and its application to the colonies, will speedily be obtained, securing to the holders of these patents, all the privileges to which they are reasonably and morally entitled and protecting them from foreign as well as domestic interlopers. There are other motives, however, which in an age of refinement and learning, should urge us to oppose irregular and unauthorised publications, as injurious to the cause of literature and fatal to the interests of talent and genius. For our own parts, though a much greater pecuniary saving might be effected, we could not read a chapter of the "Reprints" without feeling that we had been parties to a robbery, and that with singular ingratitude, we had defrauded our author (whose talent and labour had been devoted to our entertainment) of what must be considered his honest gains, our self-reproach would be increased by a knowledge, that the injury and injustice we countenanced, must be greater in proportion to the more exalted talents or finer genius which had been exercised for our amusement.

The Copyright system is necessary, for securing to authors, a share in the profits arising from the publication of their works, and to infringe the privileges which this system confers can affect none more nearly than the literary classes. Publishers cannot continue to pay largely for MSS. unless means are found for securing to them a reasonable chance of reimbursing themselves, nor can we discover any reason for not applying the same protective principle to the dependencies of Great Britain, which is found necessary and expedient in the parent country. Can any one inform us why the English Book-seller alone should find himself debarred from deriving any commercial advantage from the extensive foreign settlements acquired by Great Britain!—*Delhi Gazette, Sept.* 13.

We observe that Mr. Rushton has commenced re-printing in the *Oriental Observer*, a large proportion of Lieutenant Bacon's amusing "*Studies and Impressions.*" When this book first came to Calcutta, some one of the booksellers, touched with gratitude for the *Hurkaru's* advocacy of their monopoly, sent him the work to look at, and it was accordingly puffed, with sundry others, in a leading column of that valuable journal. Respecting, as it is known we do, our contemporary's *opinion* of the merits of any production, we instantly sent off to Thacker's, to Ostell's, and Lattey's, and offered to purchase a copy, but all that we received for our pains was a practical proof of the shameful manner in which the Indian reading public is neglected by the publishers at home. *Not a copy was to be had*

any where or at any price!—Accident has now rendered us independent of such unaccountable penuriousness We have only to look to the pages of the *Oriental Observer*, and there we find the cream, the substance and the point of a very entertainin work.—*Englishman, September* 18.

The *Englishman* has apparently determined to wage a war of extermination with the book-sellers of this city, why or wherefore is best known to himself. In an editorial yesterday, he descants very feelingly on the shameful neglect of the India public by the publishers at home; upon which he takes occasion to inform his readers, that they will find the work in question, in the present and in the future numbers of the *Oriental Observer*, and as we wish all possible success to that hebdomidal, we notice the *puff* in our columns, to give it a wider circulation. As to th fact, however, of there being no copies on sale of "Bacon's Studies and Impressions," [illegible] unfortunate the editor of the *Englishman* may have been in his perquisitions, the fact is, nevertheless, most certain, that at all the book-sellers copies of the "*studies*" are on sale and the *public* will, on application, find an ample supply of their wants, both in respect t the "Studies of Bacon," as well as in respect to all other new and attractive publications; the publishers at home be it observed, having the highest possible respect for the literary wants and rupees of the reading public in India. But the *monopolists*, as the *Englishman* calls them, will not sell to the *Englishman*, who patronizes the *principle*, or to Mr. Rushton, who patronizes the *practice* of [illegible]tin on a *grand* scale; and to this [illegible]ace of pirates (in a Pickwickian sense course) *the booksellers will not sell*; and, w think, they are right. Why should they fur [illegible]ns against themselves? why furnish a pirate with the means of robbing correspondents of the fruits of their contract with the authors? In calling the book-sellers of Calcutta *monopolists*, the *Englishman* is guilty of a very profligate and shameful abuse of his editorial privilege. In no sense of the word can they be considered as monopolists; and the fact is so evident, that it is not worth while to dwell upon, or develop this assertion. The *Englishman*, if he were so minded, might get out new works on sale just as well as Messrs. Thacker, Ostell, or Lattey; and the *Englishman* ought to know better than to allow a feeling of pique against this journal, to stimulate him to the use of expressions calculated to indispose the public against honest tradesmen, whose fault it is not that the *Englishman* gets the worst in an argument with a cotemporary.—*Hurkaru, Sept.* 19.

If the *Hurkaru* would limit his interest in our affairs to an examination of our reasonings, instead of dealing in insinuations of motives and suspicions as to the authorship of particular letters, we should get on as well as [illegible]e of a trade" generally do. He must be [illegible]re that when he is right in his surmises, his arguments are not improved a whit—and, when wrong, he exposes himself to an imputation of unfairness, or something worse. What benefit, for example, does he propose to himself by affirming that our remarks on the scarcity of new English books originate in a resolution "to wage a war of extermination with the book-sellers of this city!" Does he seriously suppose that he could raise up a party to defend their interests, if those interests were opposed to the public good—or that he could excite in the breasts of book-sellers a personal antipathy to the *Englishman* which would be brought to vent itself in a substantial form? Or does he find that an affected zeal for the welfare of the Calcutta book trade is likely to conduce to the advantage of the *Hurkaru* in its arrangements with parties engaged therein? It is, as our brother will perceive, just as easy for us to impute motives as himself,—and just as unnecessary for all purposes of public good. The plain truth is, in respect to the scarcity of books, that we are anxious to see the supply in this country equal the demand, and we verily believe that, in illustrating the penuriousness or monopolizing spirit of the London agents of Calcutta booksellers and protesting against continuance, we are best serving the interests of those to whom the *Hurkaru* would make it appear that we are opposed. Let the Calcutta book-sellers impress on their English correspondents that, if a cheap edition of really good works were printed for the Indian markets, and sent out almost as soon as the reviews which proclaim their merits, they would sell one hundred copies where they now sell ten, and *our* purpose would be completely answered. We have no wish to paralyse the industry—or check the enterprize—of a body of honest tradesmen, whom we sincerely respect; but, we have conceived that we owe it to the public to insist on their having cheaper literary supplies.—*Englishman, September* 20.

Our morning cotemporary, apparently disavows all intention of waging a war of extermination with the book sellers of Calcutta, and places the attack made on this class of persons in his paper of Monday (or at least what we took for an attack), to the score of his anxiety to see the public here, supplied *equally to the demand* of their *literary wants*!! This is, with great deference to our worthy cotemporary, a piece of humbug too gross to be swallowed by any one, for the supply and demand will regulate itself without the assistance of the *Englishman*. The *Englishman*, moreover, *did* attack the book-sellers, for he called them *monopolists* and the scope of his article was to excite an unfavorable impression against them in the public mind. In the next place, we would believe, that any attempt on our part to excite in the breasts of the book-sellers a feeling of personal antipathy to the *Englishman* is

wholly unnecessary in as much as they will *not sell* books to Mr. Rushton or the *Englishman*. Consequently they look upon these editors, as a brace of blank sheep, who unscrupulously invade the book-sellers' rights, privileges and trade. We, however, will be very glad if our observations shall have had the effect of peace-making between these apparently contending parties, and jarring interests. It is no part of our plan to foment ill-will, or stir up quarrels among our fellow citizens, and we noticed what we thought an unfair attack of the *Englishman* upon a set of unoffending tradesmen, with a view, by placing his conduct in its true light before him, to re-call our cotemporary from the error of his ways. Apparently our admonition has had its effect; but, nevertheless, the *Englishman* has puffed the *Oriental Observer* at the expense of the book sellers; and he has called them *monopolists*, and so poisoned or attempted to indispose the public minds towards them: committing thus a positive injury against these persons, which *may or may not* be wiped out and atoned for, by the sort of palinody on the subject in yesterday's *Englishman*. It is, however, much more easy to do an injury than to adduce a remedy; and "if a man try to blacken me, I am of course not the less obliged to him, although he *should* afterwards think it necessary to ask my pardon," as Prince Pucklar Muskau said to one of the chimney sweeps —*Bengal Hurkaru, September* 21.

We have been outlawed! Two of the book-sellers of Calcutta, Messrs. Thacker and Co. and Pittar, Lattey and Co., shocked at the sanction we have given to the attempt that has been made to break through their monopoly, have resolved that —— what *does* the reader think? —— that we shall not be permitted to purchase any books of them unless we pledge ourselves not to cause them to be re-printed, or in any way enable others to reprint them!! This is an awful infliction. We have been in the habit, for nearly five years, of spending some two or three hundred rupees per annum in Calcutta importations, and of glorying in the privilege of thus paying, as it were, through the nose, for our little literary luxuries—and we have done all this, through the medium of chits or personal visits, confident in the excellence of our credit. Sad reverse of fortune! We are now doomed to purchase such expensive works as we may occasionally require through a *third* party, or go to Ostell, who *has* some magnanimity in his composition,—or commission the books, at a reduction of 100 per cent., from some London house!! *Och hone arie!*

Jesting apart, however, we verily belive that never did any scheme come out of the head of mortal man so utterly abortive—so stupidly useless— as this same bastard outlawry of the editor of the *Englishman* by Messrs. Allan and Lattey—the representatives of the two book-sellers we have named. Had we not good for knowing that the sapient editor of the *Hurkaru* is at the bottom of the project, we should have supposed it impossible for any human beings in their senses to have hit upon such a contemptible, *impracticable*, species of revenge; but *Hurky*, as we once before said, is like unto the fox that lost his tail; he goes about Calcutta in a palky entreating other simple foxes to cut *their* tails off also, and few are those, who, like Ostell, can resist the charming seductions of the sly reynard of Hare Street. It is needless to say, that *we*, the editor of the *Englishman*, have nothing to do with re-prints. Messrs. Thacker and Pittar, Lattey and Co., know it as well as they know that they wish each other at the bottom of the Hooghly; but it suits the *Hurkaru's* purpose that they should identify us with Mr. Rushton, and they have weakly done so in the ungracious, and—they will permit us to repeat—ridiculous manner imaginable. *Vogue la galere.* We shall not break our hearts, so long as there are any means remaining by which we can avert the terrible infliction with which we are threatened. As for Mr. Rushton, we suppose, he will continue his re-prints while he finds there is a public demand for such necessaries of civilized life; and when the doughty book-sellers refuse him the "copy" he may require to work upon, he will obtain it through a friend. He some time since, we believe, took steps for making arrangements with the London publishers for introducing into India cheap literature on a very extensive scale, without infraction of the supposed rights of the owners of copy-rights. As soon as the arrangements come into operation, the odious monopoly—the cent.-per cent. system we have decried and the *Hurkaru* has upheld —will entirely explode "with a melodious twang and a curious perfume."—*Englishman, September* 23.

Some one, for the editor of the *Bengal Hurkaru*, during the past week, having made an assertion which was not the truth, the respectable old gentleman in whose name that Journal appears, has been engaged bolstering up the mistake. In other words, a writer in the *Hurkaru* stated on Thursday that the book-sellers WILL NOT SELL any London works to Mr. Stocqueler or Mr. Rushton. Our publisher pointed out to Mr. S. Smith the incorrectness of the assertion, and the latter gentleman, to support the view of the writer in the *Hurkaru*, commenced operations by the pleasant but wrong manœuvre of attempting to make the falsehood a prospective truth.

We believe some of the book sellers' representatives at first gave attention to Mr. Smith's entreaties, and had determined to protect what a writer, in the *Hurkaru* calls "their rights and privileges." How far the book-sellers' interests have been deteriorated by Mr. Rushton's proceeding will be made apparent to the most unmitigated cockney in Calcutta by the following statement, *which we defy any man of business to gainsay.*

Book sellers' commission on Mr. Rushton's re-prints *since* March *last*, viz. 30 *per cent.* on Rs. 4,000... ...Rs. 1,200

Loss on eight copies each of "Jack Brag," and "Rory O'More," now on book-sellers' shelves, and not saleable at Calcutta *prices in consequence* of the appearance of the reprints,... 208

Less *their present value*, which Mr. Rushton *will give for them*. 96

112

Profit,.. Rs. 1,088

We say nothing in the above statement of the probable stock, which would have remained unsold if the re-prints had not appeared. But this we do say deliberately, that the unfortunate mistake some of the book-sellers have fallen into, the entire sale of the whole of the re-print of "Jack Brag" in the short period of five weeks, the large demand for the re-print of "Rory O'More," and an increase of forty subscribers to the *Oriental Observer* within the last two months, are in some degree, to be attributed to the envy and jealousy of Mr. Samuel Smith.

Since the above was in type, Mr. William Smith, the constituted attorney of Messrs. Thacker and Co., has called on us and declared, that he will not permit the superintendent of that establishment to ask a pledge of any description from either Mr. Stocqueler or Mr. Rushton.—*Oriental Observer, Sept.* 23.

The *Englishman*, and his tail, the *Oriental Observer*, *arcades ambo*, having failed in argument, resort to direct falsehood and wilful misrepresentation. They unite in attributing motives to us who have no interest in the matter, and no desire but to protect from piracy, the literary labors of such men as Col. Napier, and others whose subsistence depends upon the sale of their works. With such persons as the *Englishman* and Mr. Rushton, it would be useless to waste our own time and the patience of our readers. We shall, therefore, leave them to contradict each other, to shuffle and prevaricate, to bully the book-sellers into submission, and to pursue their piratical course until the law interposes, which assuredly it soon will in some shape or other.

In reference to the letter of Mr. Rushton, which appeared, with notes, in Friday's *Hurkaru*, (and *without* the notes in the *Englishman* of the same morning,) a correspondence took place between that worthy and the book-sellers supported by the valliant Editor of the *English man*, who wrote bullying letters and threatened them with all sorts of penalties arising from his resentment, if they did not submit to his terms. These letters, we understand, were suitably replied to, and Mr. Stocqueler set at defiance; but the Editor of the *Observer* tells us, in an article as foolish as angry, and as angry as foolish, that *Mr. William Smith*, the constituted Attorney of Messrs. Thacker and Co. has directed the Superintendent of that firm not to demand "a pledge of any description from either Mr. Stocqueler or Mr. Rushton." If Mr. William Smith possesses this plenary power of Attorney, giving him such authority of interference, we are sorry to find, that he affords a rare instance of the practical adoption of the maxim of Hudibras,

> Doubtless the pleasure is as great,
> In being cheated, as to cheat.

Chacun a son gout! We must, however, be allowed to retain our former opinion, notwithstanding this rare instance of the gratification of a cheatee.

In the same article there is a spluttering of rage which we can well smile at and forgive; for men have frequently been known to use very foul language when broken on the wheel. But Mr. Rushton labors under the usual error of an angry person, and attributes all our good advice to our wicked envy and jealousy! Poor man! we are not competitors in piracy; and till he began his nefarious system on "a grand scale," we have on more than one occasion, spoken favourably of him and his publications. We regret, however, to find that he has abandoned the fair and open conduct which had earned him a respectable name, to links himself more and more deeply with disgraceful connections, and involve himself in speculations, which can only be carried on by a system of shuffling falsehood, and dereliction of the proper distinction between *meum* and *tuum*, of which he was not heretofore thought capable.—*Hurkaru, September* 25.

THE BOOKSELLERS' ACT OF OUTLAWRY.

(We publish the following at the request of Mr. Lattey.—Ed.)

(No. 1)

To R. Lattey, Esq.

My dear Lattey,—I wish to know whether, as stated in to-day's *Hurkaru*, it is your intention to refuse to sell me any works I may send, in my own name, to purchase at your library?

Yours,

(Signed) J. H. Stocqueler.

September 22, 1837.

(No. 2.)

To J. H. Stocqueler, Esq.

My dear Stocqueler,—I have found the republication of new London works by Rushton so seriously injurious to the interest of the parties connected with us in the book trade, that I am bound to use every means in our power to prevent it, and so cannot sell you any new works unless on the understanding that you do not purpose re-printing them for sale in Bengal. With this single exception,

of course, any thing we have for sale, whether books or jewellery, we will readily sell you

We can judge fairly of the effect of Rushton's re-print in reference to "Rory O'More." We believe that only one other house besides ourselves have received the work, and that house had only one or two copies, so that we have not lost the sale of our supply through other houses having received a large quantity. But since the first notice of the re-print of the work by Rushton, we have not sold a single London copy.

Yours sincerely,

R. LATTEY.

September 22, 1837.

(No. 3.)

To R. LATTEY, Esq.

My dear Lattey,—The idea of submitting to any conditions of this kind in my transactions with a book-seller is quite absurd, and the supposition which you entertain of its being in your power to prevent my buying books for any purpose is equally unfounded. I do not re-print works, but if I were inclined to do so, nothing would be easier than to purchase them through a third party. However, if I am to be outlawed in this way, I must retaliate; I conclude, therefore, you will not object to my ceasing to supply you with the *Englishman* and inserting your advertisements until you withdraw so singular a prohibition.

I am, &c.,

(Signed) J. H. STOCQUELER.

Sept. 23, 1837.

(No. 4.)

To J. H. STOCQUELER, Esq.

My dear Stocqueler,—If I sent to you for a copy of the *Englishman*, and you were aware from experience that I required it for a purpose that would most certainly injure you in the sale of your paper generally, would you not refuse it to me, or exact a pledge from me that I would not apply it to that purpose? I only do the same; I only ask of you not to give it where it would be applied to our injury; in the present state of things what am I to write and advise Parbury and Co. to do with reference to new works? Could I advise them to send a supply in the face of the re-prints? Am I not, therefore, bound, as far as my poor means may accomplish that, of an endeavour to keep the new works out of Rushton's hands, to protect Parbury and Co.? I have been in the habit of sending new works the moment they arrived to you to look at, and you know I have generally had them first. It is therefore fully evident that my not selling new books to you, if I know that you will hand them over to Rushton, is only to try, as far as I can, to save myself from loss. This the only exception that I make to selling you any thing, and you must feel it is one that I can't help making.

As our subscription to your paper don't in any way affect the sale of your paper or otherwise in any way injure you, there is no line to be drawn between the two cases. If you don't wish to give insertion to our advertisements, and wish to remove our names as subscribers to the *Englishman*, I of course can't help it.

Yours sincerely,

R. LATTEY.

Sept. 22, 1837.

(No. 5.)

To R. LATTEY, Esq.

My dear Lattey,—If you (or any man) come and purchase a copy of the *Englishman*, I should consider it a gratuitous insult and a piece of fooleryto refuse it; for, whatever my impression might be as to the purposes to which you would apply it, I should be quite certain that you could get a copy from the *third party*, and all my precautions be thus rendered absurdly abortive. You are right to do your duty, or what you may conceive to be such, towards Parbury and Co.; but take my honest word for it, no attempt to secure a monopoly of supply, or to force expensive books into the market, will succeed against vigorous opposition. There *is* an analogy between the supply of the paper and advertisements on my part, and the supply of books on yours. It is a matter of mutual accommodation. You buy my paper to help the success of a publication which your London firm is about to start, and the success of that publication must affect the sale of my magazines. But what is this to me? I have nothing to do with your arrangements. You come as one of the public, and your rupees are as good as another's. I would not insult you by refusing you the paper from a mere suspicion of motives.

Yours, &c.

(Signed) J. H. STOCQUELER.

NOTE.—The foregoing closed the correspondence on Friday. On Saturday, our observations on this refusal to sell us books appeared in the leading columns. Mr. Lattey then wrote to desire his advertisements might be discontinued, and stated his intention to publish the above correspondence. Three or four notes, by no means pertinent to the question at issue, followed upon it, and the result was Mr. Lattey's withdrawal of the refusal to sell us books unconditionally. He had become satisfied that we had nothing to do with the re-prints, and that the *ban* was therefore gratuitous. ED.—*Englishman*, *September* 25.

The public will be happy to hear that hostilities between the Calcutta book-sellers and the *Englishman* have ceased. The skirmish of Saturday last was followed by a flag of truce from one party and negociations with the other, the result of which has been that the ports in Government House Place and Council House Street are again open to the editor of the

Englishman. We condole with the powers in Hare Street, who had formed an alliance offensive and defensive with the book trade, in the disappointment their narrow policy will experience by this early cessation of the war. To them, little practising by experience, a series of combats in behalf of a "clique" would have been quite a festival, even though defeat and disgrace must, as usual, have followed upon their partnership.

We now drop all further allusion to the matter, being perfectly satisfied that a blow has been levelled at the dear-book system, the effects of which will sooner or later be of inestimable service to the British community in India.—*Englishman, September* 25.

The *Englishman*, has, it appears, concluded *for himself* (leaving virtually Mr. Rushton to his fate) an armistice, or, for any thing that we know, a perpetual treaty of peace with the book sellers of Calcutta. The *Englishman*, in announcing this fact, says something about our advocacy of *cliques* and so forth. Under the circumstances, we think it as well to recapitulate the various turns and twists which this small "battle of the Books" has taken, so that the public,—at the same time that it shall congratulate our cotemporary on what he calls the fatally successful *blow*, levelled by him at the dear-book system, *the effects of which will sooner or later be of inestimable service to the British community in India!* shall bear in mind the exact state of facts, in order to the due appreciation of the value of the *inestimable* benefit conferred.

Fytte the first.—The *Englishman*, in a towering passion with the book-sellers for not having on sale a single number of "Bacon's Impressions," and calling out lustily against the shameful neglect of the booksellers at home to supply the wants of the reading public in India, calling at the same time the Calcutta book sellers *monopolists!*

Fytte the second.—The *Hurkaru* stepping in and informing the *Englishman* that he is under a delusion. That Thacker, Ostell, and Littly *have* lots of "Bacon's Impressions" on sale, *but* that they, the book sellers, will not sell to himself or Mr. Rushton, *because* they are a brace of pirates, black sheep, &c. who unjustly interfere with the rights of themselves and their correspondents—the *Hurkaru*, at the same time, calling the *Englishman* any thing but a gentleman, for attempting to cast a stigma upon and create an unfavorable impression against fair and honest tradesmen.

Fytte the third.—Book-sellers, *Englishman* and Rushton hard at it, a regular case of *Mill in British India*. The *Englishman* and *tail*, having decidedly the worst of it, and the full, true and particular account of the "scrimmage" about to be presented to the public, when in steps as *bottle-holder* to the *Englishman*, the puissant Mr. William Smith, who getting in the rear of the book-sellers, contrives to trip up the heels of some of them, and *so* neutralize and greatly abate the vigour of their simultaneous and well directed attack. The *Englishman* greatly distressed, however, glad enough to patch up armistice for himself, leaves Rushton to his fate.

Such is, we believe, the present state of affairs. The *Englishman* having disclaimed any future piratical intentions, is allowed to purchase new works. In his own words the *ban* is taken off.

As to ourselves, we have only to say, that we do not understand how any particular *trade* can be called a *clique*, the meaning of which we take to be, a set of persons collecting and combining together, for the purpose of advancing their own individual interests, at the expence, and to the detriment of the interest of the rest of the community. We look upon the book seller's trade, in the same light as that in which we view any other trade; and if it suits the *Englishman* to call *them a clique*, we presume he extends the appellation to every other trade; and inasmuch as we journalists, are perpetually showing *how* the Government mismanages most things for its own particular advantage, and against the interests of the public at large, we presume our cotemporary will call Lord Auckland, the Council, and the Secretaries to Government *a clique*. As to our defence, of what he calls the book-seller's *clique*, we have merely to observe, that we thought his attack upon them most wanton, and wholly undeserved, and that the *Englishman* availed himself of his paper as an instrument of attack against those who first of all had no such weapon, and who secondly, even were it placed in their hands, had not the same knowledge or practice in the use of it, as had their assailant: and we should just as soon think of sitting by, and letting matters under such a disparity of circumstances take their course, as we should think of allowing a fellow with a drawn sword to attack another unarmed, we, having at the moment a sword in our own hand, and both the will and ability to use it in defence of the oppressed; and with this pleasant parable by way of illustration, we close our observations on this little battle about the books.—*Hurk., September* 26.

TO THE EDITOR OF THE ENGLISHMAN.

Sir,—I perceive a statement in the *Englishman* of to-day, showing that the book-sellers have gained rather than lost by the sale of Mr. Rushton's re-prints. I suppose, as a matter of course, that the statement has been put forth by Mr. Rushton. The first remark I shall make on it will be in your own words to another writer on the re-print question, "he has entirely blinked the truth." He should not have calculated the book-seller's commission on the number of copies sold both by them and him; as he, I think, has done; but on the number sold by them alone, as it is on that they get their commission. Now, I should suppose each book-seller has, on an average sold no

more than 20 copies of *Jack Brag*, if so much; then the commission derivable will be about 60 rupees for each bookseller, which is something under the price of two copies of the original edition, and not 1200 rupees for the whole of them. Mr. Rushton should also have inserted how many copies of *Jack Brag* were sold through the book-sellers either in the aggregate or by each—thus Thacker and Co. say 30, their commission 36 rupees; Lattey and Co. ditto ditto; Ostell and Co. ditto ditto; the public would then have seen at once how the matter stood with respect to the pockets of the book-sellers. Mr. Rushton will also permit me to ask why he does not allow any thing for bad debts either in the sale of Jack Brag or the Pickwick papers? Does he suppose those books inculcate morality so forcibly, and with such effect, as to induce such of the readers of them as have hitherto practised a course inconsistent with virtue and strict justice, now to change it? Mr. Rushton possibly calculates the book-sellers' commission on each work re-printed by him and sold through them; even then he is *much, very much*, out of his mark. However that may be, by his referring to Jack Brag alone, as being left on the book-sellers' shelves, I conclude he does not allude to any but it.

Let the public have a correct statement, or if the one published be correct, let it be more explicit.

Yours truly,

HUMP.

Sept. 26, 1837.

The publisher adds a note.—He appears in his own name, and does not intend to open his books at the call of an anonymous writer.—*Englishman, Sept. 27.*

We are informed that some of the book-sellers are about to petition not only for a law of copy-right, but for the prohibition of all the American re-prints to which the Indian community have long been indebted for so much cheap amusement. The petition will have one good effect at any rate, it will open the eyes of the governing powers to the real motives of the petitioners. It will be seen at once that it is not compassion for the poor authors that sets these gentlemen to work, but the true tradesmanlike jealousy of competition. How much a prohibition could be enacted conformably to our treaty of commerce with the United States, has not perhaps entered into the consideration of the book-sellers. They must be aware that the greater part of the American re-prints are not piracies, but that the right of publication in America, is purchased either of the author or publisher in London, the competition of the American publishers being so great that they can only secure the advantage of priority, by such an arrangement. It would therefore be necessary, in order to give a monopoly of the book trade to the Calcutta firms, either to prohibit all American publications from importation, whether of native or of English origin, or to make a distinction between lawful editions and piritical re-prints; and in order to enable the custom house to class them, it would require an officer specially appointed to examine the invoices and detect the spurious editions. It would be rather difficult to determine which books were published by permission and which without. The burthen of proof could hardly be thrown on the importer with any justice, as he might be merely the purchaser in open market, knowing nothing of the *trade* and buying books as he would any other investment. The prohibiting book-sellers, therefore, who are the only parties having an interest in keeping out the cheap commodity, would have to furnish themselves with a certificate from the London proprietors that no permission to re-publish had been granted, which might be received here as proof of the fact, otherwise we do not see how a line is to be drawn between lawful and pitatical importations.

The editions of books which either have no copy-right, or of which the right to re-print has been purchased, could not, we should think, be prohibited so long as our treaty of commerce exists. Now do we think, that Government would be disposed to burthen this kind of cheap literature, which is alone suited to the purses of an Indian community, for the sake of the Calcutta book-sellers, or their London firms. The rights of authors or proprietors cannot be urged where they have already granted permission to re-publish for a consideration, and if it is not worth their while to publish cheap editions in London, it cannot be supposed, that they consider the American book-sellers' rivalship of much consequence.

However, as the question of copyright appears likely to become an international one, and that France, England and America will probably unite in according mutual protection to each other's authors, it is probable that a considerable sum may be obtained by English authors for a privilege, which can be secured to the American book-seller, who at present has only the advantage of priority in return for his money. In that case we may expect the American editions to be more elegant and correct, and at the same time more expensive than they have hitherto been; but as few will grudge a trifling addition to the price of the work in return for these advantages, the sale will probably be more extensive than ever, and may seriously interfere with the *dear* book trade. We are consequently not surprised at the alarm which these gentlemen have taken, but we should indeed be surprised if they succeeded in making any impression upon the government and inducing it to stop the progress of knowledge in this country for the profit of three or four tradesmen.

The question of justice to authors is entirely different. If that can be combined with the profits of the tradesmen, we have no doubt, it will be included in their petition; but if they expect that a copy-right act will put a stop to competition, they will be miserably disappointed.—*Oriental Observer, Sept. 30.*